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JOURNAL

OF

THE SENATE,

OF THE

STATE OF MISSOURI,

AT THE

FIRST SESSION OF THE

NINTH GENERAL ASSEMBLY,

BEGUN AND HELD AT THE

CITY OF JEFFERSON,

ON THE TWENTY-FIRST DAY OF NOVEMBER, IN THE YEAR OF OUR LORD

ONE THOUSAND EIGHT HUNDRED AND THIRTY-SIX.

BOWLING-GREEN:

PRINTED AT THE OFFICE OF THE SALT RIVER JOURNAL.

1837.

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JOURNAL

Of the Senate, at the first session of the ninth General Assembly, of the State of Missouri, begun and held at the City of Jefferson, on the third Monday, being the twenty-first day of November, in the year of our Lord one thousand eight hundred and thirty-six.

THE Senate was called to order by Daniel Ashby, president *pro tempore* thereof.

Were present from their respective senatorial Districts, as follows:

From the second Senatorial district.—Francis Déguire.

From the third district.—Abraham Byrd.

From the fourth district.—Charles C. Valle.

From the fifth district.—Andrew Goforth.

From the seventh district.—Elliott Lee and John Walsh.

From the ninth district.—Hans Smith.

From the eleventh district.—William K. Vanarsdall.

From the twelfth district.—Alexander M. Robison.

From the fifteenth district.—Owen Rawlins and Thomas J. Gorham.

From the sixteenth district.—Daniel Ashby.

From the seventeenth district.—James T. V. Thompson.

From the eighteenth district.—Abram McClelland.

From the nineteenth district.—Joseph Montgomery.

From the twentieth district.—David Jones.

From the twenty first district.—John D. Williams.

From twenty second district.—Joseph Weaver.

A quorum being present, the president requested Abel Rathbone Corbin, to act as secretary *pro tem*.

Messrs. Deguire, Byrd, Lee, Walsh, McDaniel, Rawlins, Gorham, Montgomery, and Jones, severally presented their credentials, were qualified and took their seats.

On motion of Mr. Byrd,

The Senate proceeded to the election of Secretary.

Messrs. Hiram H. Baber, M. V. Harrison, and Joseph B. Wells, were severally nominated, and on the first ballot, there appeared,

For Mr. Baber—Messrs. D. Jones, McClelland, and Williams.

For Mr. Harrison—Messrs. Deguire, Goforth, Lee, McDaniel, Rawlins, Robison, and Valle.

For Mr. Wells—Messrs. Ashby, Byrd, Gorham, Smith, Walsh and Weaver.

Neither candidate having a majority, the Senate proceeded to a second ballot, when there appeared,

For Mr. Baber—Messrs. D. Jones, M'Clelland and Williams.

For Mr. Harrison—Messrs. Deguire, Goforth, Lee, McDaniel, Rawlins, Robison, and Valle.

For Mr. Wells—Messrs. Ashby, Byrd, Gorham, Smith, Walsh and Weaver.

Neither candidate having a majority, the Senate proceeded to a third ballot. Mr. Baber having been withdrawn, there appeared,

For Mr. Harrison—Messrs. Deguire, D. Jones, Lee, McDaniel, Rawlins, Robison, and Valle.

For Mr. Wells—Messrs. Ashby, Byrd, Goforth, Gorham, McClelland, Smith, Walsh, Weaver and Williams.

Whereupon, Mr. Wells was declared to be elected Secretary, was qualified and entered on the duties of his office.

William M. Campbell presented his credentials, was qualified and took his seat.

On motion of Mr. Robison,

The Senate proceeded to the election of Doorkeeper.

Messrs. Hamilton, Maxey, Crigler, Parsons, McQuiddey, Clanton, Tate and Allen, were severally nominated.

On the first vote, there appeared

For Mr. Hamilton—Messrs. Goforth and M'Clelland.

For Mr. Maxey—Mr. Williams.

For Mr. Crigler—Messrs. Ashby, Deguire, Gorham, Rawlins and Valle.

For Mr. Parsons—Messrs. Jones of Cooper, and Lee.

For Mr. McQuiddey—Mr. Robison.

For Mr. Clanton—Mr. Smith.

For Mr. Tate—Messrs. Campbell, McDaniel, Vanarsdall, and Walsh.

For Mr. Allen—Messrs. Byrd and Weaver.

Neither candidate having a majority, the Senate proceeded to a second vote, when there appeared,

For Mr. Hamilton—Mr. McClelland.

For Mr. Maxey—Mr. Williams.

For Mr. Crigler—Messrs. Ashby, Gorham, Lee, Rawlins, and Valle.

For Mr. Parsons—Messrs. Goforth and D. Jones.

For Mr. Clanton—Mr. Smith.

For Mr. Tate—Messrs. Byrd, Campbell, McDaniel, Vanarsdall and Walsh.

For Mr. Allen—Messrs. Deguire, Montgomery and Weaver.

For Mr. McQuiddey—Mr. Robison.

Neither candidate having received a majority, and Messrs. Clanton, M'Quiddey and Maxey, being withdrawn, the Senate proceeded to a third vote, when there appeared,

For Mr. Hamilton—Mr. M'Clelland.

For Mr. Tate—Messrs. Byrd, Campbell, McDaniel, Vanarsdall, and Walsh.

For Mr. Crigler—Messrs. Ashby, Deguire, Gorham, Lee and Rawlins.

For Mr. Parsons—Messrs. D. Jones and Williams.

For Mr. Allen—Messrs. Goforth, Montgomery, Robison, Smith, Valle and Weaver.

Neither candidate having received a majority, the Senate proceeded to a fourth vote, Messrs. Hamilton and Parsons, being withdrawn, there appeared,

For Mr. Crigler—Messrs. Ashby, Deguire, Gorham, D. Jones, Lee, Rawlins and Valle.

For Mr. Tate—Messrs. Byrd, Campbell, McDaniel, Vanarsdall, and Walsh.

For Mr. Allen—Messrs. Goforth, McClelland, Montgomery, Robison, Smith, Weaver and Williams.

Neither candidate having received a majority, a fifth vote was taken, when there appeared,

For Mr. Crigler—Messrs. Ashby, Gorham, Rawlins, and Robison.

For Mr. Tate—Messrs. Byrd, Campbell, McDaniel, Vanarsdall, and Walsh.

For Mr. Allen—Messrs. Deguire, Goforth, D. Jones, Lee, McClelland, Montgomery, Smith, Valle, Weaver, and Williams.

Whereupon, Mr. Allen having received a majority, was declared to be duly elected, and was qualified, and entered upon the duties of his office.

Mr. Robinson offered the following:

Resolved, That the House of Representatives be informed, that the Senate is organized, that they have elected Joseph B. Wells Secretary, and Joseph Allen Doorkeeper, and are now ready to proceed to business.

Mr. Sterigere presented his credentials, and was qualified, and took his seat.

Mr. Smith offered the following:

Resolved, That a committee of three be appointed to draft, or report, rules for the government of the Senate during the present session.

Which was adopted.

The following message was received from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—I am instructed by the House of Representatives, to inform the Senate, that they have now assembled in the representative hall, elected Mr. John Jameson Speaker, Thomas C. Burch Chief Clerk, John Ralls Assistant Clerk, and Richard B. Jackson Doorkeeper, and that the House is now ready to proceed to business.

Mr. Robison offered the following:

Resolved, That a committee of three be appointed, to join a committee on the part of the House of Representatives, to call on the

Governor, and inform him that the two Houses of the General Assembly are now organized, and ready to receive any communication that he may think proper to make.

Which was adopted.

Mr. Vanarsdall offered the following:

Resolved, That the members of the Senate be arranged into the following standing committees:

A committee on Civil Judicature.

A committee on Criminal Judicature,

A committee on Education.

A committee of Ways and Means.

A committee on Claims.

A committee on Internal Improvements.

A committee on Elections.

A committee on the Militia.

A committee on Accounts.

A committee on Engrossed Bills.

A committee on Enrolled Bills.

A committee on the Seat of Government.

A committee on Agriculture.

A committee on the Penitentiary.

A committee of Revisal and Unfinished Business.

Which was laid on the table.

Messrs. D. Jones, Smith, Vanarsdall, and Weaver, were appointed a committee to draft rules for the government of the Senate.

Mr. Valle offered the following:

Resolved, That a committee of two be appointed, to join such committee as may be appointed by the House of Representatives, to draft, or otherwise report, joint rules for the government of both Houses during the present session.

Which was adopted.

And Messrs. Valle and Vanarsdall were appointed said committee.

Messrs. Robison Rawlins, and Sterigere, were appointed a committee to wait on the Governor.

Mr. Campbell offered the following:

Resolved, That the Secretary of State be requested to furnish, for the use of the Senate, twenty-five copies of the revised statutes, and twenty-five copies of the private acts of the last session, and twelve copies of the revised laws of the year 1825.

Which was adopted.

Mr. David Jones offered the following:

Resolved, That the Senate will now elect one Enrolling and one Engrossing Clerk, for the present session; and that they shall act as assistants to the Secretary, under the direction of the President of the Senate.

Which was adopted.

Messrs. Alfred Basye, and Robert Brown, were nominated, severally, for the office of Engrossing Clerk.

The vote being taken, there appeared

For Mr. Brown—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Lee, McClelland, McDaniel, Montgomery, Rawlins, Smith, Sterigere, Thompson, Valle, Vanarsdall, and Walsh.

For Mr. Basye—Messrs. D. Jones, Gorham, Robison, Williams, and Weaver.

Whereupon, Mr. Brown was declared to be duly elected, was qualified, and entered upon the duties of his office.

Messrs. Long, Elliot, Butler, Baber, and Fulcher, were then, severally, nominated for the office of Enrolling Clerk.

The vote was taken, and there appeared

For Mr. Long—Messrs. Byrd, Deguire, Lee, Valle, and Walsh.

For Mr. Elliot—Messrs. Gorham, McDaniel, and Rawlins.

For Mr. Butler—Messrs. Campbell, D. Jones, Montgomery, and Weaver.

For Mr. Baber—Messrs. Ashby, Goforth, McClelland, Smith, Sterigere, Thompson, Vanarsdall, and Williams.

For Mr. Fulcher—Mr. Robison.

Neither candidate having received a majority, and Messrs. Elliot and Fulcher being withdrawn, a second vote was taken, when there appeared

For Mr. Long—Messrs. Byrd, Deguire, Goforth, Lee, Rawlins, Valle, and Walsh.

For Mr. Butler—Messrs. Campbell, D. Jones, Montgomery, and Weaver.

For Mr. Baber—Messrs. Ashby, Gorham, McClelland, McDaniel, Robison, Smith, Sterigere, Thompson, Vanarsdall, and Williams.

Neither candidate having a majority, and Mr. Butler being withdrawn, a third vote was taken, when there appeared

For Mr. Long—Messrs. Byrd, Deguire, Goforth, Lee, Rawlins, Valle, Walsh, and Weaver.

For Mr. Baber—Messrs. Ashby, Campbell, Gorham, D. Jones, McClelland, McDaniel, Montgomery, Robison, Smith, Sterigere, Thompson, Vanarsdall, and Williams.

Whereupon, Mr. Baber was declared duly elected to the office of Enrolling Clerk, was qualified, and entered on the duties of his office.

Mr. Campbell offered the following:

Resolved, That nine o'clock in the morning, and two o'clock in the evening, be established as the hours of the meeting of the Senate, unless otherwise ordered.

Which was adopted.

On motion of Mr. Robison,
The Senate adjourned.

TUESDAY MORNING, NOVEMBER 22, 1836.

The Senate met pursuant to adjournment.

The following message was received from the House of Representatives, by Mr. Ralls:

MR. PRESIDENT:—I am instructed by the House of Representatives, to inform the Senate that the House have appointed Messrs. Cravens of Pettis, Turner, and Wright of Pike, on their part, to join such committee, as may be appointed by the Senate, to draft and report, to their respective Houses, rules for the government of their respective Houses, during the present session. And that the House have elected Mr. Joseph W. Hickum their engrossing clerk, and Mr. John McCulloch, their enrolling clerk, during the present session.

Mr. Smith from the committee on the subject of rules, for the government of the Senate, made the following report:

The committee appointed to draft rules for the government of the Senate, during the present Session, have instructed me to report the rules which governed the Senate during the session of 1834 and 1835, which is respectfully submitted.

Which rules are as follows:

RULES AND ORDERS

FOR THE GOVERNMENT OF THE SENATE OF THE STATE OF MISSOURI.

SEC. 1. The President shall take the chair every day at the hour to which the Senate shall have been previously adjourned, and on the appearance of a quorum, shall call the House to order, and cause the journal of the preceding day to be read, but a smaller number may adjourn from day to day, and compel the attendance of absent members, and any two members at any time after the hour has arrived to which the Senate has adjourned, may have a call of the house, and have the names of the absentees entered upon the journal.

SECOND. It shall be the duty of the President to preserve order, and he may speak on all questions of order in preference to any other member, rising from his seat for that purpose, and shall decide on all questions of order subject to an appeal to the house.

THIRD. All questions shall be put in this form: "You who are of opinion (as the case may be) say aye; of the contrary opinion, say

no;" and in doubtful cases, the President may direct, or any member may call for a division.

FOURTH. All committees shall be nominated by the President, unless otherwise directed by the house, in which case they shall be appointed by ballot.

FIFTH. Every member present, when a question is taken, shall vote, unless the house for special reasons excuse him.

SIXTH. Every motion shall be reduced to writing, if the President or any member require it.

SEVENTH. A motion to adjourn shall always be in order, unless a member is speaking, and shall be decided without debate, and no member shall leave his seat after a question of adjournment is put until the same shall be declared to be a vote by the President, nor until the President shall have left the chair.

EIGHTH. When a member is about to speak, he shall rise, and respectfully address himself to the President, and when a member is speaking, no member shall pass between him and the chair.

NINTH. The President shall preserve decorum, and if any member transgress the rules of the house, the President shall, or any member may call to order; in which case, the member called to order, shall immediately sit down, unless permitted to explain, and the house, if appealed to shall decide on the case.

TENTH. No member shall speak more than twice on any one question, without leave of the house.

ELEVENTH. When a motion is made and seconded, it shall be stated by the President, or being in writing, it shall be handed to the chair, and read aloud by the President or Secretary, before debated.

TWELFTH. After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in possession of the house, but may be withdrawn at any time before a decision or amendment, by consent of the house.

THIRTEENTH. While a question is before the Senate, no motion shall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.

FOURTEENTH. The previous question shall be put in the words, "shall the main question be now put?" It shall be admitted only on demand of two members, and sustained by a vote of two-thirds of the house, and until decided, shall preclude all amendments, and debate on the main question.

FIFTEENTH. Any member may call for a division of the question when the same will admit of it.

SIXTEENTH. No committee shall sit during the sitting of the Senate, without special leave.

SEVENTEENTH. The first reading of a bill shall be for information, and if objections be made to it, the question shall be, "shall the bill be rejected?" If no objections be made, or if the question to

reject be lost, the bill shall go to its second reading without a question.

EIGHTEENTH. Upon the second reading of a bill, the President shall state, it is ready for commitment or engrossment and if committed, then the question shall be, whether to a standing or select committee, or a committee of the whole; and the house shall determine on what day; but if the bill be ordered to be engrossed, the house shall appoint the day when it shall be read the third time.

NINETEENTH. A bill after commitment or report thereof, may be recommitted at any time before its passage.

TWENTIETH. In forming a committee of the whole, the President shall leave the chair, and appoint a chairman to preside.

TWENTY-FIRST. The President may at any time leave the chair and call any member of the Senate thereto, who shall be President of the Senate for the time being, and the President shall at pleasure resume the chair, and if the person called to the chair shall object, and the President insists, the question shall be decided by the Senate.

TWENTY-SECOND. When a motion is made for an amendment of any bill or resolution, the mover's name shall be inserted on the journal.

TWENTY-THIRD. The rules of the proceedings of the house, shall be observed in committee of the whole, so far as they may be applicable.

TWENTY-FOURTH. No member shall be permitted to vote on a subject in which he is immediately interested.

TWENTY-FIFTH. No member in the minority of any vote declared shall have a right to move for a reconsideration thereof.

TWENTY-SIXTH. No member shall call for the yeas and nays on any question after the same has been declared to be a vote by the President.

TWENTY-SEVENTH. Any member may excuse himself from serving on a committee, if at the time of his appointment, he shall be a member of three other committees.

TWENTY-EIGHTH. When any petition, memorial or remonstrance, is presented to the Senate, the person presenting the same shall give a concise statement of the purport thereof, and it shall be disposed of according to its character, without reading, unless the reading thereof be required by two members.

TWENTY-NINTH. No bill shall pass the house until a third reading, nor shall any bill be read more than once in any one day, unless otherwise directed by the Senate.

THIRTIETH. If two or more members happen to rise at once, the President shall name the person who is to speak first.

THIRTY-FIRST. No standing rule of the house shall be revised or amended without one day's notice being given of the motion thereof.

THIRTY-SECOND. No member shall absent himself from the service of the Senate without leave is first obtained, and in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the door keeper, or any person or persons by them

authorized, for any absent member, or members, as the majority of such members present shall agree, at the expense of such absent member or members respectively, unless such excuse for non attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient.

THIRTY-THIRD. It shall be the duty of the door keeper to keep order in the lobby, and to obey the orders of the Senate from time to time.

THIRTY-FOURTH. It shall be the duty of the Secretary to keep an exact journal of all the proceedings of the Senate, and shall from time to time, be subject to such further orders as the Senate may direct.

THIRTY-FIFTH. No persons except the members of the House of Representatives, their clerk, the Governor, Secretary of State, Judge of the Supreme and Circuit Courts, Attorney General and members of Congress, shall be admitted within the bar of the Senate, during the sitting of the same, unless invited by a member.

THIRTY-SIXTH. On the discussion of any business, which may in the opinion of a member require secrecy, the President shall order the gallery to be cleared, and during the discussion of such motion the doors shall remain shut, unless otherwise directed by the Senate.

THIRTY-SEVENTH. When the Senate shall think their business requires it, they shall elect one or more enrolling and engrossing clerks for the house, who shall, when elected, be subject to the same rules as the Secretary of the senate now is.

THIRTY-EIGHTH. Any member voting in the minority on any subject, and protesting against the vote of the House, may have his protest entered on the journals, if the language and tenor of such protest would have been admissible in the discussion of the subject.

ORDER OF BUSINESS.

1. Petitions, Memorials and Remonstrances.
2. Reports from Standing Committees.
3. Reports from Select Committees.
4. Propositions and Motions.
5. Second reading of Bills.
6. Engrossed Bills.
7. Bills reported, and other business lying on the Table.
8. Orders of the day.

Mr. Valle from the joint committee to report rules for the government of the two houses, submitted the following:

The committee on the the part of the Senate, who have been instructed to join such committee, as should be appointed on the part of the House of Representatives, for the purpose of reporting rules, for the government of both houses, when in joint session, have discharged that duty, and recommend the adoption of the rules which

governed the two houses when in joint session, in the years 1834 and 1835, with the following amendment to the thirteenth section of said rules: After the letter "A" before "members," insert the words "clerk or."

Which rules as amended, are as follows:

JOINT RULES OF BOTH HOUSES.

SEC. 1. When the business requires the attendance of the Senate in the Representative Chamber, they, with their Secretary, shall be conducted within the bar, and there seated: and when so assembled, the President of the Senate shall preside, and every member of the Senate or House of Representatives shall be at liberty to make motions, and debate, and the rules of the House of Representatives shall govern, as if that House were in committee of the whole House.

SEC. 2. When a message shall be sent from one house to the other, it shall be announced at the door of the respective houses by the doorkeeper thereof, and the import thereof respectfully communicated to the President or Speaker, as the case may be, by the person by whom it is sent.

SEC. 3. While bills are on their passage between the two houses, they shall be on paper, and, under the signature of the Secretary or Clerk of each house respectively.

SEC. 4. After a bill shall have passed both houses, it shall be duly enrolled on paper by the clerk of the house, where the same shall have originated, before it shall be presented to the Governor.

SEC. 5. When bills are enrolled, they shall be examined by a joint committee of three from the Senate, and six from the House of Representatives, appointed as a standing committee for that purpose, one of whom on the part of the Senate and two of the House of Representatives, shall be sufficient to examine and compare the enrolled with the engrossed bills, as passed in the two houses, and correcting any errors that may be discovered in the enrolled bills, and make their report forthwith to the respective houses.

SEC. 6. After examination and report, each bill shall be signed in the respective houses; first by the Speaker of the House of Representatives, and then by the President of the Senate.

SEC. 7. After a bill shall have been thus signed in the House, it shall be presented by the said committee to the Governor for his approbation; it being first endorsed on the back of the bill, certifying in which house the same originated, which endorsement shall be signed by the Clerk or Secretary of the House in which the same did originate, and shall be entered on the journals of each House.

SEC. 8. All orders and resolutions which are to be presented to the Governor for his approbation, shall also be previously enrolled, examined and signed, and shall be presented in the same manner, and by the same committee as is provided in case of bills.

SEC. 9. When a bill or resolution, which shall have passed one house, shall be signed in the other, notice thereof shall be given to the house in which the same originated.

SEC. 10. When any papers may come officially before either house of the General Assembly, or any communication of the Governor, and are proper to be acted upon by both houses, the house before which such papers are laid, or to which such communications are made, shall as soon as they have proceeded and acted upon the same, lay a copy thereof before the other house.

SEC. 11. When a vacancy shall happen in either house, notice thereof shall be sent to the other.

SEC. 12. When any new business shall be commenced in either house, on which it is necessary for the other to act, notice thereof shall be given to the other house.

SEC. 13. All messages and communications between the two houses, shall be conveyed by a clerk or a member of the house originating the same.

Mr. Vanarsdall gave notice, that he would, on Saturday next, ask leave to introduce

A bill, to prevent the publication, circulation or promulgation of the abolition doctrines. Also,

A bill, to tax all agencies, or other institutions, that exercise the functions of banking in the state of Missouri, without the leave of the state.

Mr. Robison offered the following:

Resolved, That a committee of three be appointed to contract for the job printing of the Senate, during the present session.

Which was adopted, and Messrs. Robison, Sterigere and Vanarsdall, were appointed that committee.

Mr. Sterigere offered the following.

Resolved, By the Senate and House of Representatives, that they will on the 25th instant, at 3 o'clock, in the afternoon, proceed to elect a Senator of the United States.

Which, the rules being dispensed with, was read a second, and a third time, and passed.

Mr. Smith offered the following,

Resolved, That fifty copies of the rules, and joint rules, be printed for the use of the Senate.

Which was adopted.

The yeas and nays being called for by Mr. Vanarsdall, were as follows:

Yeas—Messrs. Ashby, Campbell, Deguire, Lee, McClelland, McDaniel, Montgomery, Robison, Smith, Sterigere, Thompson, and Walsh.

Nays—Messrs. Byrd, Goforth, Gorham, D. Jones, Rawlins, Valle, Vanarsdall, Weaver and Williams.

Mr. Robison, from the select committee to call on the Governor,

reported that the committee had performed that duty, and that the Governor would, this day at two o'clock, transmit a communication to the Senate.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed

“An act to regulate the Governor’s salary.”

And also adopted the following:

Resolved, By the House of Representatives, (the Senate concurring therein) That they will, on Saturday next, at three o'clock, proceed to the election of a Senator of the United States.

Which last resolution was taken up and disagreed to.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have concurred in the resolution of the Senate, in relation to the counting of the the votes for Governor and Lieutenant Governor; amended by striking out “ten o'clock, A. M.,” and inserting “three o'clock, P. M.”

The House have also concurred in the resolution of the Senate, respecting the election of Senator of the United States.

The bill to regulate the Governor’s salary was read the first time.

The rule requiring bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and passed by the following vote:

Yeas.—Messrs. Byrd, Campbell, Lee, McClelland, McDaniel, Montgomery, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, and Weaver.

Nays.—Messrs. Deguire, Goforth, Gorham, D. Jones, Rawlins, Robison, and Williams.

Mr. Smith offered the following:

Resolved, That E. L. Edwards be admitted within the bar, to take minutes of the proceedings, for publication, in the Jeffersonian,

Which was adopted.

Message from the House of Representatives, by Mr Ralls.

The House of Representatives have concurred in the report of the joint committee, to draft joint rules for the government of both Houses.

And also adopted the following:

Resolved, (the Senate concurring therein) That the Secretary of State be authorized to employ some suitable person to act as librarian, ring the present session of the General Assembly, that the person so employed shall keep fire, and other accommodations suitable for the use of the members, whose duty it shall be to keep the State library

open from nine o'clock, A. M., till ten o'clock, P. M., to be paid out of the contingent expenses of both Houses.

Mr. Smith offered the following:

Resolved, By the Senaté, (if the House concur therein) That the two Houses of the General Assembly meet in the hall of the House of Representatives, on to-morrow, the twenty-third instant, at ten o'clock, A. M., to count the votes for Governor and Lieutenant Governor, and to have the persons elected qualified.

Which was adopted.

The joint resolution of the Senate, in relation to the counting of the votes for Governor, was taken up, and the amendments made by the House of Representatives, were concurred in by the Senate.

The following message from the Governor was communicated by Mr. McClintock, his private secretary, and was received and ordered to be read.

FELLOW-CITIZENS OF THE SENATE, AND
OF THE HOUSE OF REPRESENTATIVES:

In consequence of the resignation of that highly esteemed and valued public officer, the late Governor of Missouri, which took place on the thirtieth of September last, the functions of the Executive since that period have devolved on me by virtue of my office as Lieutenant Governor of the State. As such it becomes my duty to present to you a view of the condition of the affairs of the State, and to recommend to your consideration such measures as may be deemed necessary to promote our prosperity and happiness.

Being so recently called upon to administer the Government, many things may escape my attention, as well in relation to those that have occurred since the last session of the General Assembly, as to those matters that should be specially presented for your deliberation.

Our State continues rapidly to advance in population; the tide of emigration which has been flowing westward, brings with it an increased and increasing accession of wealth, intelligence, and virtue, and Missouri bids fair, at no distant period, to hold an exalted rank among her sisters of the confederacy. The value of every species of property has been greatly enhanced; our farmers have reaped bountiful crops; labor of every description commands a high price; and the blessings of health have been enjoyed by our population to an unexampled degree; whilst peace and plenty reign throughout our borders. With the finest lands for agriculture, and our great mineral resources, it needs only an enterprise commensurate with such advantages, to make us a rich and happy people. For these accumulated blessings we cannot fail to express our gratitude, and trust that the efforts of judicious legislation may co-operate in extending and rendering beneficial the gifts of a bounteous Providence. Allow me here to say, that the prosperity of our own State is not the only

cause for congratulation; the condition of the citizens of our sister States, is greatly advancing in wealth and improvements; and in this happy state of affairs, is to be seen the effect of an untiring zeal on the part of the present worthy Chief Magistrate of the Union; one who has devoted a long life to the service of his country, both civil and military; whose stern virtue, honest heart, and wise head, have been conducting our federal government to its present elevated and enviable height. We have been, during his administration, struck with wonder and astonishment at the rapidity with which one grand stroke of public policy was succeeded by another; we have barely had time to express our approbation of one great measure, before it was followed by another and another in such rapid succession that the brilliancy of the last seemed to shed a lustre on those which preceded it. He is shortly to retire from that station which he has filled with so much credit to himself and honor to his country; let us indulge the hope, that his mantle will descend upon his successor, and our federal government be advanced, step by step, until it reaches the summit of human wisdom.

The fiscal affairs of the State, will in proper time be laid before you, by the Auditor of Public Accounts and State Treasurer according to their respective duties; by which you will find the amount of revenue paid into the Treasury during the two fiscal years ending the 30th September 1836, was \$134,189 32, and the expenditures for the same time were \$136,013 56, being an excess of expenditures over that of receipts of \$1,824 24. In the amount of expenditures however are included \$8,333 33, for building jail and penitentiary and the further sum of \$6,413 89 appropriated by special acts of the last General Assembly to which may be added \$25,000, for the pay of the last General Assembly a sum over the ordinary expenses of that body. Deducting these sums from the amount of the expenditures, it will leave a balance in favor of the receipts of the last two fiscal years of \$37,921,93.

The State debt on the 1st of October 1834, was \$48,526 11, of which \$25,621 31, including principal and interest were owing to the Seminary fund; the balance of 22,904 80 being due the Saline fund. Since which time there have been borrowed of the Seminary fund under the authority of law \$10,000, and likewise the further sum of \$23,113 07, under an act of the General Assembly, approved 16th March 1835. This makes the amount of the State debt on the 1st of October 1836, \$87,819 90, including interest \$7,897 45 on the amount due the Seminary fund. Deducting from this amount, owing by the State, the sum of \$33,159 75, the balance of revenue in the Treasury on the 1st October 1836, it will show the amount of the State debt on that day to be \$54,659 32.

In reference to the fiscal concerns of the State for the two years ending the 30th September, 1838, it may be safely calculated that the receipts of revenue for the first year will be \$68,000 and for the second year \$75,000, which with the sum in the treasury on the 1st

of October 1836, will make \$176,159 75. Deducting from this the probable ordinary expenses of Government for the same time which may be estimated at \$103,000, there will be in the treasury on that day \$73,159 75.

The amount of the State debt on the 1st of October 1838, provided the State retains the amount borrowed of the Seminary and Saline funds, and does not create any additional loans, will be \$94,661-08; from which if the balance of revenue, estimated to be in the treasury on that day, be deducted, it will show that the State will be owing at that period only \$21,501 33.

These calculations are made upon the supposition that no change will be made in the present revenue law—But should a change be effected in the present mode of assessing property for taxation, so that all taxable property could be estimated at its fair value, it is believed that the state debt would be entirely liquidated in the next two years, provided that no extraordinary expense be incurred during that time. To effect so desirable an object as the uniform valuation of all taxable property, in the different counties, at a fair price, is a consideration of the highest importance. An inspection of the tax book forwarded to the Auditor's office will show the greatest inequality in the valuation of taxable property, particularly land.—In some counties, lands of the same quality are valued fifty or one hundred per cent. higher than in other counties. In some cases lands that would sell readily at \$10 per acre are valued at \$1 50 or \$2 00 per acre. This is unjust and shows that there is something radically wrong in the system or in its execution, and should be remedied. I would suggest, if the present system is continued, that the assessor be required to swear every person owning taxable property, both as to the amount and value, estimated at what could be got for it in cash; and that the court should not allow his account for assessing without his making oath that he had strictly complied with the law in the discharge of his duties. Should any person owning property refuse to qualify according to law, let the assessor be required to value the same, making the price of like property in the neighborhood his standard. Other modes of remedying this evil, preferable to the one I have suggested, may present themselves to you, in adopting which, you may calculate on my hearty concurrence. Should such a law be devised and rigidly enforced, there can be but little doubt that the revenue of the State would be increased 20 per cent., besides which, is of much more importance, equalising the valuation of property.

From the view presented in the foregoing statement it will appear that the fiscal concerns of the State are in a prosperous condition, and only need the aid of some just and equitable law to insure the equalization of the valuation of property to relieve the state of all her debts in the course of the next two years.

From the report of the Warden of the Penitentiary, which will in due time be laid before you, you will discover that the expenses of

that institution for the two past years, exclusive of the appropriations for building the same and the Warden's salary have amounted to the sum of \$1,433 84. The amount of labor done by the convicts is estimated at six hundred and thirty six dollars and fifty nine cents, and the worth of the articles on hand belonging to the institution is estimated at \$544, leaving a balance against the institution of two hundred and fifty three dollars and twenty five cents.

Permit me to recommend the several suggestions contained in this report to your consideration, and that the necessary provisions be made by law to carry them into effect, especially in relation to the employment of the convicts, and the compensation of overseers and guards. By the provisions of an act of the last General Assembly, the Auditor of Public Accounts, the State Treasurer and the Attorney General were made ex-officio inspectors of the penitentiary. The legislature could not have intended this arrangement as a permanent one. I am inclined to believe that when they reflect upon the inconveniences that may attend its continuance, they will not hesitate to repeal the provisions referred to, and in lieu thereof, provide for the appointment and compensation of suitable and competent persons, as inspectors, other than officers of the government. To assist you in your deliberations on the subject of the Penitentiary system, our state library will afford you the opportunity to avail yourselves of the experience of all the states of the union, that have adopted this system of punishment.

I consider it proper to call your attention to the situation of the public buildings, at the seat of government. For some years past, it has been viewed as doubtful whether it would be permitted to remain at its first permanent location, as made under the provisions of the constitution. That doubt seems for the present and many years to come, to be put to rest. The natural inquiry then is, what shall be done by you in relation to it, consistent with the interest of the State? Many other recommendations might be made, but I will submit only a few, of those most prominent. The first is not of a local character, but is one that must necessarily tend to the general advantage and interest of the community. The house now used by the General Assembly as a place for their deliberations, particularly that part used as the hall of the House of Representatives is too contracted to afford even the comfort necessary to the preservation of the health of the members or the accommodation requisite to a proper discharge of their duties, much less to afford the people an opportunity of witnessing the proceedings of their representatives. The constitution requires that the doors of each house should be kept open, except in cases which may require secrecy.

The arrangement of the hall of the House of Representatives in consequence of its contracted size, affords so small a space for the accommodation of spectators that it may be considered as virtually ~~legislating~~ with closed doors. It is therefore recommended as expedient and proper, that an appropriation be made for the purpose of

building a house for your deliberations. In addition to the fact that the present house is now too small for the number of members, it is expected that the number will be increased by the organization of new counties at your present session, and in all probability by the apportionment of representation. I will remark in addition, as to the necessity of such a building, that the offices of Secretary of State and Auditor of Public Accounts, together with the state Library, are now under the roof of the building occupied as a state house, and are far from being safe, for at no point of time, can it be said that they are secure from fire, by accident or otherwise. Should you authorise the building of a State House, it is recommended that it be fire proof and contain the necessary accommodations for all the public offices of the state required to be kept at the seat of government. In the event of your determining to do so, it would perhaps be necessary for you to take some steps for the disposition of the house now used by you, the proceeds of which if sold, might be placed in aid of the erection of such building. It is also submitted whether it would not be better to dispose of the house used as the residence of the Governor and appropriate the proceeds to the erection of another, at some, at present, more eligible point, less public and the grounds more extensive than those now afforded adjacent to the present building; this property, it is thought, will sell for a much greater sum than it originally cost, and another might be erected on public lots that would answer better for the residence of a family.

In consequence of the increased demand for lots in the city of Jefferson, I would recommend a provision by law for the further sales of them; and it is submitted whether it would not be advantageous, that the proceeds of such sales should be appropriated to the improvement of the streets immediately adjacent to, and surrounding the public property; that there is a necessity for such improvement is evident, and your attention is therefore particularly called to that subject. If there should be a surplus, after making such improvements it might be appropriated to assist in the improvement of other streets leading to the public buildings, or appropriated towards the erection of a state house.

The offices of warden of the penitentiary and commissioner of the permanent seat of government are now consolidated in that, of the former; and the duties incongruous and in many particulars arduous, cannot be performed well by the same person. It is therefore recommended, that you make a provision for the appointment of a commissioner of the seat of government with an adequate salary. This will be rendered the more necessary should you determine it proper to erect a state house.

The incorporation of a Banking Company is at this time a subject of engrossing importance. Though monied monopolies may justly be regarded as anti-republican in their spirit and tendency, it may yet be reasonably doubted whether they are not so interwoven with the business and interests of the people, as to render their immediate

abandonment productive of great inconvenience, if not totally impracticable. No one can be more deeply impressed than myself, with the necessity of enlarging the basis of our specie circulation, so that it may constitute a very large porportion of the entire currency of the country. Much more can be effected to promote this desirable end by the action of the General Government, than by any policy which the states may see fit to adopt. The immense revenue which is constantly flowing into the federal treasury, through the land offices and custom houses, enables it to wield a powerful influence in determining the character of our circulating medium. But to ensure the entire success of the plan, it is nccessarry that the states should co-operate in the great work, and it will be for those who favor this policy to determine whether it will be better promoted by the establishment of a State bank, than by depending on the issues of foreign corporations, not amenable to our laws, nor subject to any regulations and restrictions which our Legislature might desire to impose. It is obvious that we cannot return, unaided by legislation, to a pure specie currency; we must depend on the notes of foreign banks, and those notes will continue to form a large proportion of our circulating medium. Might we not then be better enabled to guard this currency against depreciation, and to promote the important object, which seems to be the policy of the present administration of our federal government; of increasing the amount of specie and causing all the minor monied transactions of society to be performed with gold and silver, by the establishment of a sound, well restricted and specie paying State Bank? This interesting question, it is for the wisdom of the assembled Representatives of the people to determine. I am sensible that there are difficulties which embarrass either course which you may think proper to adopt. It is certainly highly important that any bank which may be established should possess the confidence of the people; that there is a great prejudice among many well informed citizens against any and every species of paper money, is also true. It will therefore be extremely desirable, that the charter of the bank should be so framed as to conciliate the good opinion of all classes of society. The liability of the institution may be so fixed as effectually to prevent any loss to the holders of its notes, and at the same time such a course could be given to its direction and management, as to secure the entire confidence of the community at large.

I would therefore recommend the establishment of a State Bank, with a capital to the extent allowed by the constitution, and, that the nett profit which may accrue to the State should be applied to the payment of the current expenses of its government so as to relieve the people from taxation. To enable the State to procure the necessary capital, let scrip be issued, redeemable at her option, at any time after twenty, and not exceeding fifty years, and bearing an interest not above five per cent., which scrip can be taken by the bank and disposed of for the benefit of the State, at such times and in

such portions as the exigencies of the bank may require. In addition to this, the portion of the surplus revenue of the General Government, which, by an act passed at the last session of Congress, is now subject to the disposal of this State, together with the Seminary and Saline funds, might be advantageously invested in the same way. The restrictions which it would be necessary to insert in its charter, in order to render the institution safe, and at the same time make it an agent in promoting the prosperity of our citizens and increasing the facilities of our commerce, will readily suggest themselves to the wisdom of the Legislature. Allow me to suggest the propriety of restricting it in the denomination of its notes to none less than \$10, and after a limited time to bills of the denomination of \$20; such a provision will be in accordance with the almost universal feeling of the citizens both of this and the other states, who are in favor of a hard money currency, for all the minor and ordinary transactions of business. It will insure to the farmer and mechanic a just reward for his labor, and will infuse a healthful vigor into all the larger operations of the commercial community. The states of Massachusetts and Maine, of New York, New Jersey and Ohio, and doubtless, several others whose enactments have not come under my observation, have already adopted this wise policy, and the efforts of the Executive of the federal government have been exerted to effect the same desirable end. It will also be proper to fix some limit to the proportion which the issues of the bank should bear to the amount of capital actually paid in. It is true that the ratio between the issues of the bank and the amount of her capital, can have no influence on the solvency of the institution, for the bank must necessarily receive an amount of value equal to that which she loans, whether that value consists in negotiable notes, or notes secured by landed property, the bank is equally safe, without an entire failure of both principal and endorser. But as the credit of a bank must mainly depend on the readiness which it exhibits at all times to redeem its notes, that promptness will be very much facilitated by prohibiting the issue of more than twice the amount of its capital actually paid in, or three times the amount of specie or available funds on hand. The propriety of inserting some provision in the charter, should any be granted, to fix this limit within reasonable bounds, is therefore respectfully suggested. A provision in the charter requiring the bank to loan to the State, whenever called on by the proper authorities, any sum not exceeding five millions of dollars, at such times and in such portions as it may be needed, at an interest of five per cent. per annum, is respectfully submitted, with a view of enabling the State to aid her citizens in the prosecution of such objects of internal improvement as may be calculated to promote the general welfare. It would become necessary in the event of your establishing a bank, to adopt measures to prevent within our limits the circulation of all bank notes of a less denomination than those issued by the bank incorporated by you; the tide of emigration is in our favor,

and as the notes of the State Bank of Missouri would be equal to gold and silver at home, they would be sought after in other states by those who intend emigrating to this, and by foreigners who come here for the purpose of purchasing our produce. Arrangements can easily be made with eastern banks for authority to draw checks or post notes upon them, by which the bank could accommodate the merchants of the country with light money at a small advance.

Our constitution provides that there shall be but one banking company incorporated within the limits of our State, and but one branch of said bank can be established at any one session of the General Assembly. But I imagine there is nothing to prevent the establishment of agencies of the same, at such points within our borders as the Legislature may deem necessary. The principal office of discount and deposit should be located at St. Louis, with capital sufficient to answer the demands of that portion of the community, and agencies established at such other points as the public convenience may require, in order that the necessary banking facilities may be afforded to the different portions of the State, carefully limiting the number within reasonable bounds.

I feel it my duty to call your attention to the subject of the establishment of bank agencies within our limits by banks incorporated and acting under the authority of two of our sister States. The establishment within our limits of such agencies, for banking purposes by banks deriving all their power and authority from other States, is unwarranted by any statute or constitutional law of this State or of the United States, and in defiance of the wishes of a great body of the people. I would therefore recommend, in addition to the entire prohibition of the circulation of their notes within our limits, such penal enactments as will, in the most summary manner, rid us of the evil; they should not be permitted within our borders to perform any of the functions of banking institutions, neither in loaning money or dealing in bills of exchange; such remedies as will be most likely to produce the desired effect, it will be your part to provide. As to the powers of the Legislature to provide the necessary remedies, I presume there is no doubt.

The policy and utility of internal improvements by the States, remain no longer a matter of speculation. The experiment has been tested, and the results have been flattering beyond the most sanguine hopes of its friends and advocates. So recent is the adoption of this system, that we all recollect when it was a subject of doubt, whether the state governments possessed the ability of prosecuting it successfully; yet, in the space of a few years, we see several of them multiplying roads and canals without number; we see the unexampled impulse given to agriculture and commerce, and we are made to wonder how much has been accomplished within so short a period. If we would apply the incentive to industry—if we would give life and vigor to agriculture and commerce—if we would cheapen trans-

portation, facilitate intercourse, and place our State upon the vantage ground now occupied by some of the other States, we must adopt a system of internal improvements. The adoption of every policy or system must have a beginning, and it appears to me that *now* is a suitable time for us to commence; and the sooner we begin, the sooner shall we be in the enjoyment of the advantages resulting from them; the sooner will be developed those resources which nature has so bountifully lavished upon us. Our State being bounded on one side by the Mississippi, with the Missouri river running through her centre, and their various tributaries penetrating every section, the construction of canals would add but little to our interest or convenience, whilst rail roads, which cost considerably less, would not only shorten and cheapen transportation, but render it less hazardous. Should you concur with me in the propriety of now adopting a permanent system of internal improvements, by the construction of rail roads, it will be for you to select among the various routes in contemplation, or adopt any other which you may think would conduce more to the general good.

I will present, for your consideration, such routes for the location of rail roads as are deemed of greatest public utility.

FIRST. A route commencing at, or near, the western boundary line, on the south side of the Missouri river, passing through the intermediate counties to Boonville, and to the City of Jefferson, thence through the mineral region, to terminate at some point on the Mississippi river, below where that stream is usually blocked with ice; and in the direction of the most direct practicable route to the contemplated rail road from Charleston, South Carolina, to Cincinnati, Ohio.

SECONDLY. A route commencing at, or near our western boundary, on the north side of the Missouri river, passing through the several counties bordering on or adjacent to the same, to Fayette, from thence to St. Charles, and the city of St. Louis to Potosi, intersecting the first mentioned route at the latter place.

THIRDLY. A route from some prominent point in the northern part of our State, passing through the rich country of Salt River, crossing the route which runs parallel with the Missouri river, on the north side, and intersecting that on the south, at the City of Jefferson.

These three principal routes, intersecting each other at various points, form a complete chain of communication to almost every portion of the State; and present great advantages to our citizens, by affording them access to the southern markets, at a season of the year when all our natural channels are locked up; connecting, at the same time, the most distant portions of our State, as well as those still more contiguous with the city of St. Louis, the great commercial emporium of our State, whose rapid growth in improvements, population, wealth and commerce, bids fair, at no distant period, not only to outstrip any of the cities on our western waters, but to rival those of our Atlantic borders.

It is highly important in the location of routes, that the points of

commencement and termination within our own borders, should be convenient to other great works of a similar character, now in progress or in contemplation by other States, in order to multiply the number of our outlets, and create additional competition for our surplus productions. Should our citizens ever find it to their interest to divert a portion of their trade from the south to the north, a rail road, at a very small cost, could be constructed from St. Charles to a point on the Mississippi river, opposite the mouth of the Illinois, a distance not exceeding nine or ten miles, so as to connect our rail-ways with the contemplated canal, uniting the Illinois river with the southern bend of Lake Michigan, opening a direct communication by the way of the northern lakes and the Erie canal to the city of New York.

In connection with this subject, I would recommend as a preliminary measure, and one of great importance to the future interests of this State, the propriety of memorializing Congress for the right of way for our rail roads through the Public Lands, and for a grant of alternate sections of land on the route of such rail roads as may be established by law within our limits, and where such lands may have been otherwise disposed of, then a quantity equivalent to alternate sections, to be selected as nearly contiguous to the road as practicable. The General Government has heretofore granted to the States of Ohio, Indiana, and Illinois, large quantities of public lands for similar purposes; a portion of those lands have been disposed of at high prices, and there is no doubt entertained, that the funds arising from their sales will eventually be sufficient to pay the whole cost of the several public works in aid of which they were granted. There is no good reason why the same justice may not be extended to Missouri, and doubtless will be, if applied for. The United States would lose nothing by making such grant, for the establishment of rail-ways and the consequent improvement of the country produced thereby, would enhance the remainder of all the public lands within the vicinity of the road to quadruple their present value. Estimating the number of miles of rail roads according to the proposed routes (which are contemplated as only the commencement of the system) to be about eight hundred in a direct line, the quantity of land, should Congress consent to so much of the foregoing proposition as relates to those particular routes, would be eight hundred sections, or something upwards of five hundred thousand acres, about the same quantity that was granted to Ohio for similar purposes; a quantity sufficient, if properly managed, to go very far towards refunding the amount that may be expended in their construction.

If the General Government should extend the grants of alternate sections of land to all rail-ways that may be established within our limits, (which I think it greatly to her interest to do,) lateral branches may then be extended from the principal stems to every county in the state, and as the country through which those branches would pass, contains a greater portion of Public Land than that through which the principal routes extend, we may with safety calculate

that the average value of the land on such routes would amount to a sum sufficient to refund the whole cost of the work. If however, the proceeds arising from the sales of the lands would only be sufficient to pay the interest on the money used in their construction, even that itself would be "a consummation most devoutly to be wished" and affords a strong argument in favor of taking the necessary steps with as little delay as possible towards procuring the assent of Congress to the object in contemplation. Application should also be made to Congress for a remission of the duties on all iron rails, or machinery which may be imported from abroad for the use of the rail-ways within our limits. Congress in no instance within my knowledge, have ever refused remitting such duties when applied for.

Whether a system of internal improvements by this State be adopted as an independent one, or in conjunction with individual enterprise, still the means of construction not being in our possession, we shall be constrained to resort to a loan; other states have done so, and found it a profitable investment, and there is no good reason why we may not obtain in the same way the means necessary, and make the investment profitable to us. But the establishment of a State Bank, with the capital allowed by the constitution, will, it is thought, afford ample means, not only for commercial purposes, but will enable us to prosecute a system of internal improvements commensurate with our wants.

Education is a subject of abiding interest to the people of this country and demands the fostering aid of the legislature. By the adoption of a general and diffusive system, by placing the means of education within the reach of all; our invaluable institutions may be preserved and transmitted to the remotest posterity—without it all is in danger of being eventually lost. The institution established by the patriotism, and hallowed by the blood of our fore fathers, must soon degenerate into anarchy, misrule and despotism. Notwithstanding all acknowledge the importance of education, yet but little has been done to advance the cause in our state. It therefore devolves on you, as the representatives of the whole people, to adopt and put in motion such a plan as will meet their necessities. In adopting a system, you have before you the experience of several of our sister states, who now have in successful operation, different systems of common schools, which are more dependent on legislative aid than seminaries; for we have a fund, derived from the sale of the land acquired from the general government, by this state, for the establishment of a seminary, which if judiciously applied, will go very far towards effecting the object of the grant.

A memorial was sometime since passed by the General Assembly, addressed to the Congress of the United States, praying the annexation of all the territory lying on the north side of the Missouri river, and west of the present boundary of the state, and bounded on the north by the present northern boundary line, as established by the

constitution, when the same is continued in a right line west to the Missouri river, embracing what is commonly known as the Platte country. It was afterwards proposed to amend the constitution, so as to cause the boundaries of the state to conform to this proposition, when the assent of congress should be obtained; and the constitution was accordingly so amended.

Congress at their last session passed an act granting to Missouri her request, upon condition that the claim to those lands could be procured from the Indians by the U. States. The executive has not been officially informed of the result of the efforts of the authorised agents of the Federal Government in relation to the extinguishment of the Indian title to those lands; but from sources not to be questioned, he is satisfied that a treaty to that effect has been made, and that the wishes of Missouri in relation to this subject, will be fully realized at the approaching session of Congress.

It will be remembered by you that an act was passed by the last General Assembly "to ascertain the northern and southern boundary line of this State," and authorised the appointment of two commissioners and one skilful surveyor to ascertain, survey and establish the north boundary line. In pursuance of this authority two commissioners were appointed, who have always been ready and anxious to discharge the duties required by law. A surveyor was also appointed by and with the consent of the Senate, and a commission made out and forwarded to him. The gentleman thus appointed and commissioned declined accepting. The executive then appointed and commissioned another gentleman, who also declined to accept. Congress about the period of the last appointment, or shortly thereafter, took up the subject of the annexation of the territory above referred to, when the then executive considered it expedient to suspend all further efforts to have that line run, until some further action could be had thereon through the General Assembly. It is therefore recommended that the act referred to, as having been passed at the last session, be continued in force, and amended so as to cause the line to be run to the Missouri river, as called for in the recent amendment of the constitution, and to increase the compensation of the surveyor, as a skilful one cannot be procured for the price allowed by said act. The propriety of requesting congress to appoint a commissioner or commissioners, to co-operate with those appointed by this State, is respectfully submitted; and as the approaching session of congress must terminate in the first part of March next, it would perhaps be well that your attention should be turned to this subject in the early part of your present session, that it may be brought to the notice of Congress at an early day.

In relation to the southern boundary line, a surveyor was appointed according to the provision made, and a commission forwarded to him, which he declined accepting. Another was then appointed and commissioned, who accepted the office, and entered upon the

discharge of his duties, and, who will, I presume, in due time, lay before you the result of his labors.

The sittings of the supreme court of our state being at four different points may be considered disadvantageous to the interest of the community, not only in relation to the augmentation of the expense of office rent and of transmitting the decisions of the court to the Attorney General, who is, by law made the reporter, and is required to reside at the seat of government, but especially in relation to the opportunities afforded the court in making up their decisions. With the exception of St. Louis, it is believed that the court is not afforded an opportunity of consulting, extensively authorities bearing upon the particular points presented for their consideration. A patient and thorough investigation of every case is of great importance. Under the present arrangement, the greater portion of the time of our Judges, spent in their districts, is consumed in riding from one court to another. This time expended in investigating cases, examining authorities and perfecting their decisions, might be of immense advantage by giving a more wholesome and lucid interpretation of the laws of the land. The constitution provides "that the General Assembly may at any time thereafter direct by law, that the 'supreme court' shall be held at one place only. The convention seem by this provision, to have anticipated a time, when the interest and welfare of the state would be promoted by consolidating said court at one particular point.

The time seems to have arrived when various reasons urge the expediency of adopting this measure. If the sittings of that court were only held at one place, and that where they would have the advantage of a good library for reference, there certainly would be a greater uniformity in their decisions. No inconvenience would result to parties, jurors, or witnesses, from this arrangement. Parties seldom ever do and they are never required to attend the supreme court. The only questions to be decided, are questions of law, and consequently no jury is required. The evidence is saved by bills of exceptions, which are transmitted to the court with the record of the proceedings in the case, and consequently no witnesses are summoned to attend. Our State Library has already become respectable, and will in a few years, under the system adopted for its increase, be the largest in the State. It is therefore submitted whether it would not be better to concentrate the sittings of the supreme court at the Seat of Government, where there will be always an opportunity afforded the judges of consulting the elementary works of law and books of practice, together with the decisions of the federal judiciary, and of the courts of dernier resort of our sister states. By a resolution of the last General Assembly, it was directed that one set of the decisions of our supreme court should be sent to each of our sister states, which has been done, and Connecticut has already responded the courtesy by sending the decisions of her courts. The decisions of some other of the states had been before transmitted.—

In the event of the states reciprocating and exchanging their decisions, our library will be exceedingly valuable (independent of the increase of standard works) under our present annual expenditure.

Permit me to call your attention to the subject of the organization of the several judicial circuits. The county of St. Louis probably furnishes a greater amount of criminal business than the balance of the State, and a proportionate amount of civil business. The civil and criminal business of that county united are sufficient to engross the whole time and attention of any one judge. It should therefore alone constitute a judicial circuit. The anticipated enlargement of our territory and the probable formation of new counties at your present session will doubtless require the establishment of an additional circuit or circuits. The territory about to be attached to the state on the west, added to three or four of the adjoining counties, would be amply sufficient in extent to form one circuit; but a short time will elapse after this country shall have become a part of the State, before it will be filled with people; indeed every portion of our State is populating so rapidly that new counties will be continually demanded; hence the propriety of making the arrangement of the several circuits as nearly permanent as possible, so as to obviate the necessity of re-organizing them at every session of the general assembly. It would also be desirable that they should be so formed as to preclude the necessity in any one of them crossing the Missouri river.

I herewith transmit to you a memorial from the grand jury of the county of St. Louis: the subject of that memorial will apply with peculiar force to the judges both of the supreme and circuit courts.—Your attention is directed to the subject as one which calls for legislative interposition.

The militia, has since the last session of the General Assembly, been re-organized, and an additional Division created, and a hope is now entertained, that in the course of the approaching year, full returns of the strength of each Division will be had. Your attention however, is called to the subject for the purpose, of examination in relation to the present mode of reporting the strength of each company; and it is submitted whether it would not be better to require the commanding officer of each company to make the returns of the strength of his company, at his first annual company parade, directly to the commanders of the regiment, and that the commanders of the regiment, should embody those returns into one, and report the same to the Brigadier General at an early day thereafter; making it the duty of the Brigadier General then to report to the Adjutant General at the seat of Government, and also to the Commanding General of his division. Such a provision in the law is necessary in order to ascertain the strength of the militia, it being important to our State, that she should receive her quota of arms from the United States, under the general apportionment made for that purpose.

A letter from the Secretary of the Treasury of the United States under date of the 27th June last, inviting the attention of the Ex-

ecutive of this State to the subject of the surplus revenue, is herewith communicated. "The time and manner of acting in the matter," belong exclusively to the Legislature, as the Executive of himself can do nothing in receiving or rejecting the money thus allotted to the state. According to the provisions of the act of Congress the alternative is left with the state either to accept or reject the proposition. If we reject that portion of money set apart for us, it will then be deposited with such of the other states as may agree to receive it on the terms proposed. Believing that Congress at their approaching session will take the necessary steps to reduce the revenue to the actual wants of the government, to prevent, if possible in future the accumulation of so great a surplus in the treasury: thereby doing away any occasion hereafter of resorting to such a species of legislation having so banefull an influence on the relations which ought to exist between the states and the federal government. I do not hesitate, under all the circumstances to recommend to the Legislature to make the necessary provisions by law, authorizing the treasurer of the state to receive on deposit from the authorities of the general government, that portion of the federal revenue which may be allotted to this state; and to empower him to receipt for the same; and to enter into such obligations on the part of the state as the act of Congress in relation to the subject prescribes.

Public documents on various subjects from several of our sister states are herewith transmitted. They will of course receive from you that attention, which is due to the importance of the several subjects and to the high sources from which they have emanated. The reports of five several boards of road commissioners, are also transmitted.

At the last session of Congress there was an additional regiment of dragoons authorised to be raised for the protection of the frontier; which, together with an appropriation of \$14,000 for the establishment of an arsenal on the Missouri river, near our boundary line, will tend much to tranquilize the fears of our border citizens; and, I may add, that from the disposition evinced on the part of the Federal Government, ample provision will be made from time to time, to secure those citizens in the enjoyment of their lives and property. It was anticipated that, as the various tribes of Indians removed, were to be located adjacent to our frontier, a force and protection would be afforded sufficient to repel and allay any hostilities that might arise; and in this, our utmost expectations and wishes have been, and will no doubt, be fully realized.

A provision has also been made by Congress for constructing a military road from the right bank of the Mississippi river, at some point between the mouth of the St. Peters and the mouth of the Des Moines, to Red river; it is provided that the road shall pass west of the States of Missouri and Arkansas, if the assent of the Indian tribes, which had not theretofore been given, and through whose territory the road might pass, should be first obtained; and in the event of not

obtaining such assent, then the road to be run east of the western boundaries of the States named. The advantages to be derived from the surveying and opening such road, will be very great, particularly as affording a facility in the transportation of troops used in the protection of the frontier; and as it is contemplated and provided by the act of Congress, that military posts, at the discretion of the President of the United States, shall be constructed, all communication necessary to be kept up along the said road, may be safely calculated on.

It is proper for me here to state, that by an act of Congress, the President of the United States was authorized to have ten thousand volunteers raised for the purpose of aiding, in the event of its becoming necessary, the protection of the frontiers of the United States. A request was made to the Governor of this State to have one thousand volunteers (privates) raised, and to be officered according to the acts of Congress governing such cases. The number required have been partly raised, and the returns of the remainder are daily expected. From the chivalric spirit of our citizens, no doubt is entertained that a larger number, if necessary, can be at any time had, to aid in the discharge of so important an object as the protection of our frontier inhabitants.

To show further that the arm of the Federal Government, so far as it can be constitutionally done, is designed to be extended to western interests, I will state, that an appropriation has been recently made for the improvement of the Missouri and Mississippi rivers, above the mouth of the Ohio. Such indications of extending to Missouri what her interests so much require, must meet the cordial acquiescence of, and afford much satisfaction to her citizens.

There are, however, two subjects in relation to our federal intercommunication and protection, that I think require your especial attention. One is the extension of the Cumberland Road to our seat of Government, and thence to our western boundary. When it is considered that immense sums of money flow into the federal treasury from the sales of the public lands within our State, it seems peculiarly proper that we should ask of Congress an application of at least a portion of those funds, in aid of this road within our own borders.

The other subject, to which I call your attention, is our Santa Fe trade. By acts of Congress in relation to reshipping goods from the United States, upon which a tariff has been paid, a debenture is allowed at all sea-port towns; but in relation to our traders by land to Santa Fe, no such drawback is allowed. I believe no distinction should exist, whether such goods are exported by land or by water. I therefore submit for your consideration, the propriety of again memorializing Congress upon the subject, and asking for the establishment of a port of entry and a custom house, at some point near our western boundary line, and for the allowance of the debenture on all foreign goods exported from the United States by land to any of the Mexican States or provinces. This would be placing all of our

citizens upon an equal footing, which should be done by the government whenever it is practicable to do so.

The public lands of the general government within our State, which remain undisposed of, form a subject to which it may not be improper to invite the attention of the Legislature, inasmuch as some of the most substantial reasons why the price of those lands has not been reduced now no longer exist. The fact that the national debt (to the payment of which the public lands were pledged) is now discharged, and the present fiscal resources of the national treasury are much more than equal to the necessities of the government, and that they produce a surplus fund, which it is extremely difficult for Congress to dispose of on terms which are satisfactory, authorize the expression of the wish of the people, through their Representatives, in the form of a memorial to Congress on the subject, in behalf of the actual settlers of the country. The true wealth and strength of a country consists in the number of the industrious cultivators of its soil; they are the main support of the Government in time of peace, and its defenders in war, on whom alone we can with safety depend for the preservation of those inestimable rights and privileges which we now enjoy, and which were purchased at the expense of the best blood of the Revolution. It is to this class of our citizens, the actual settlers, the hardy yeomanry of the land, that the fostering hand of Government should be extended; the public lands should be disposed of to them on the easiest terms; permanent pre-emption rights should be granted, and every facility afforded of procuring homes for themselves and families. I therefore recommend that the Legislature memorialize Congress on the subject, and request from the General Government such a course in the premises as her financial relations appear to authorize, and the interest of the people of this State imperiously require.

Having now placed before you, in conformity with my duty, the several subjects which I have considered necessary and proper towards advancing the general good, permit me, in conclusion, to indulge the hope, that the errors, if any I may have committed in the discharge of this important trust, will not be attributed to a want of zeal, on my part, for the promotion of the public interest. I sincerely trust that you may eminently succeed in all your endeavors to advance the moral, intellectual, and physical condition of the people, and that your labors may redound to their permanent benefit. That such may be the result, let us supplicate the aid of that Being, whose Almighty power controls and governs the Universe.

LILBURN W. BOGGS.

November 22, 1836.

Mr. Campbell offered the following:

Resolved, That the message of the Governor, just received, be referred to a committee of the whole on the state of the republic, and

that three thousand copies be ordered to be printed for the use of the Senate.

Which was adopted.

Mr. President laid before the Senate a communication from the Secretary of State, containing a list of the members of the Senate, elected to the ninth General Assembly. Also,

Proposals from Calvin Gunn, on the subject of printing.

Which were laid on the table.

On motion of Mr. Vanarsdall,

The Senate adjourned.

WEDNESDAY, NOVEMBER 23, 1836.

THE Senate met pursuant to adjournment.

Mr. Goforth presented a petition of Andrew Jamison and James H. Ralph,

Which was read, and

On motion of Mr. Goforth,

Referred to a select committee, consisting of Messrs. Goforth, Byrd and Gorham.

On motion of Mr. Smith,

The resolution in relation to standing committees, was taken up.

Mr. Vanarsdall moved

To amend the resolution, by adding "A committee on printing."

Which was agreed to, and the resolution adopted.

The President, in conformity with a resolution of the Senate, announced the following appointments of standing committees:

On Civil Judicature—Messrs. Campbell, Jones of Cooper, and Sterigere.

On Criminal Judicature—Messrs. Lucas, Vanarsdall, Smith, Lee, and Jones of Pike.

On Education—Messrs. Robison, Rawlins and Goforth.

On Ways and Means—Messrs. Smith, Ashby, Walsh, Byrd and Weaver.

On Claims—Messrs. Goforth, Byrd and Gorham.

On Internal Improvements.—Messrs. Vanarsdall, Ashby, Smith, Byrd, and Lee.

On Elections.—Messrs. Walsh, Valle, and Rawlins.

On Militia.—Messrs. Thompson, Weaver, and McDaniel.

On Accounts.—Messrs. Sterigere, Deguire, and Dawson.

On Engrossed Bills.—Messrs. Jones of Cooper, Robison, and Campbell.

On Enrolled Bills.—Messrs. Vanarsdall, Montgomery, and Deguire.

On the seat of Government.—Messrs. Lee, Gorham, Williams, Montgomery, and Valle.

On Agriculture.—Messrs. Jones of Pike, McClelland, McDaniel, Thompson, and Walsh.

On the Penitentiary.—Messrs. Rawlins, Williams, Campbell, Thompson, and Dawson.

On Unfinished Business.—Messrs. Weaver, McDaniel, and Montgomery.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House have unanimously elected Austin A. King Speaker *pro tempore*, during the present session, and he has been qualified.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The committee on enrolled bills, on the part of the House, is composed of Messrs. Fort, Thornton, Fulkerson, Clark, Young, and Price.

Mr. Vanarsdall, from the joint committee on enrolled bills, made the following report:

The committee have examined, and find truly enrolled, a bill entitled

“An act to regulate the Governor’s salary.”

Mr. Vanarsdall, from the joint committee on enrolled bills, presented the following:

The committee have presented to the Governor, for his signature,

“An act to regulate the Governor’s salary.”

On motion of Mr. Vanarsdall,

Resolved, That the committee of the whole be discharged from the further consideration of the Governor’s message.

Which was agreed to.

Mr. Vanarsdall moved the following:

Resolved, That the various subjects recommended in the Governor’s message be referred to the appropriate standing committees, and that the President of the Senate make the distribution.

Which was agreed to.

Message from the House of Representatives, by Mr. Ralls.

MR. PRDSIDENT:—The House is now ready to meet the Senaie, to count the votes for Governor and Lieutenant Governor, and the left of the representative hall is set apart for the accommodation of the Senate.

The Senate repaired to the representative hall, and the President *pro tempore* of the Senate took the chair.

On motion of Mr. King,

The President of the Senate, *pro tempore*, and the Speaker of the

House of Representatives proceeded to count the votes for Governor and Lieutenant Governor.

Which were as follows:

FOR GOVERNOR.

For Lilburn W. Boggs,	- - -	14,315.
For William H. Ashley,	- - -	13,057.

FOR LIEUTENANT GOVERNOR.

For Franklin Cannon,	- - -	13,942.
For James Jones,	- - -	10,210.
For Dr. Kouns,	- - -	8,
For Samuel C. Owens,	- - -	11.
For McClelland	- - -	29
For A. J. Williams,	- - -	5

Mr. Smith, offered the following:

Resolved, That a committee be appointed to wait on the Governor, and Lieutenant Governor, elect, and inform them of their election, and request their attendance to be qualified,

Which was agreed to,

Messrs. Smith, King, and Detchemendy, were appointed said committee.

The committee returned, and Mr. Smith announced, that the Governor, and Lieutenant Governor, elect, were present, for the purpose of being qualified.

The oaths of office were then severally administered to them, by George W. Miller, a justice of the peace.

Governor Boggs then took the chair, and delivered the following Inaugural Address:

FELLOW-CITIZENS OF THE SENATE, AND OF THE HOUSE OF REPRESENTATIVES:

It becomes my duty to place before you a brief outline of those principles by which I shall be guided in the discharge of the highly responsible trust, which the partiality of my fellow-citizens has assigned to me. In performing this customary duty, allow me to tender to you and our common constituents, my unfeigned acknowledgments for the distinguished honor they have been pleased to confer on me. Be assured, that no exertions shall be spared, on my part, to make the best return in my power, for this gratifying mark of their confidence, by a zealous and diligent devotion to such duties as are constitutionally assigned to the Executive.

To maintain a just economy in the administration of the government, to promote the cause of science, and more especially the general diffusion of elementary knowledge, by whatever means may

properly come within the scope of legislative action, and to promote the improvement of our State, by aiding her commercial facilities, are, in my estimation, objects of primary importance, and will, I doubt not, occupy a large portion of your deliberations. Our state is yet in her infancy; but embracing an extent of territory exceeding that of any other, with a soil of surpassing fertility and rich in mineral productions—situated in a climate which, with all its varieties, is comparatively mild and genial. Our march is destined to be onward. Under a government of equal laws, which afford a like protection to the poor and the rich, the humble and the powerful, our citizens will be enabled to profit by the blessings which Providence has so liberally bestowed, and will exert all their energies to the improvement of their moral and physical condition. Enjoying these accumulated advantages, it needs only the co-operation of wise and judicious legislation, to ensure the rapid increase of our wealth and prosperity.

The laws which constitute the rule of action for every citizen, which regulate their contracts, and effect the various relations of society, have necessarily a very powerful influence in promoting or retarding the prosperity of the state. You have convened, gentlemen, at an interesting period of our existence. At the last session of the Legislature, an entire revision of our statute laws was effected, and various material alterations were made. The lapse of two years will, doubtless, have enabled you to bring the confirmed voice of public opinion on the merits of the code, and to adapt its provisions more completely to the wants and wishes of the people. By this means any errors which haste or inadvertance may have left in the Statute Book, can be corrected, and the valuable work of your predecessors rendered more perfect.

The subject of our currency is also one which at this time attracts considerable interest. The propriety of chartering a State Bank is a question which has been much agitated among the people, and will, no doubt, receive a considerable portion of your attention. That there is a great diversity of opinion on this subject, not only in relation to the policy of establishing a bank, but also among the friends of such institution in regard to the details of the charter which should be granted, is, I believe, very generally conceded. It is, therefore, the more desirable that our policy on this important question may be fixed and known. It is time that a definite expression of the public will should be made, and with you will rest the decision whether Missouri will continue to rely for her currency on such notes as may be furnished by the banks of her sister states, or will adopt the banking system herself: That decision, whatever it may be, whether for or against chartering a bank, will, I doubt not, be satisfactory, as the voice of a majority of the people.

My own views on this subject I will not trouble you by reiterating; they were expressed in my circular addressed to the people of Missouri previous to the late elections, and in the message which I had

the honor to transmit to the Legislature as acting Governor. I will only repeat my desire to co-operate with you in the establishment of a State bank. Such a one as will be strictly guarded against those abuses to which experience unfortunately proves all banking companies are more or less liable.

Connected with the subject of our currency, are the equally interesting and more important subjects of internal improvements and education. I am not one of those who believe that every thing can be effected in the attainment of either of these desirable ends by mere legislative enactments, apart from the powerful influence of public sentiment, yet I cannot but think that legislation will do much towards creating and accelerating the impulse, which public spirit and individual enterprise may enlarge and carry out to its full extent.

It is believed that the time has arrived when some decisive measures should be adopted for the commencement, at least, of such systems for the improvement of our moral and physical condition, as would be consistent with our available resources. If the establishment of a bank could be made subservient to either of these objects, it would certainly find favor with many who would not be disposed to support it on other grounds. I entertain not a doubt but that this end may be attained, and that the State will be thereby enabled greatly to contribute towards the construction of such works of improvement as may be thought most likely to prove beneficial and useful.

For the purpose of education a fund has already been provided. The action of the federal Government, in appropriating land for the use of schools in each township, and "for a seminary of learning," evidently contemplates the encouragement of both systems; whilst, therefore, I am decidedly in favor of the encouragement and extension of common schools, whereby their advantages may be rendered accessible to the humblest citizen, I should disregard the intentions of Congress, were I to omit to recommend the adoption of measures for the endowment of a State University, or in the language of the grant; "a seminary of learning." All must admit the advantages of such an institution within the State, where the higher branches of literature can be taught. It commends itself not merely from the consideration that the money expended in the education of our sons is retained within the State, but it begets and fosters in them an attachment for her institutions, which is cherished through all time and under all circumstances, and will form the best security for the permanence of our civil and religious liberties.

In whatever measures you may devise for the attainment of either of these or of other valuable ends, I will most cheerfully co-operate.

November 23, 1836.

LILBURN W. BOGGS.

The two houses then separated, and the Senate retired to its chamber.

On motion of Mr. Robison,

Mr. President appointed Messrs. Robison, Rawlins and Lee, a committee to conduct the Lieutenant Governor to the Chair.

The Lieutenant Governor took the chair and delivered the following inaugural address:

GENTLEMEN OF THE SENATE:

On entering upon the duties of the station assigned me by the free, generous and confiding people of Missouri, whose kindness and partiality claim my most grateful acknowledgments, I must, in justice to myself, say, that I feel no ordinary degree of diffidence and embarrassment. In view of the multiplied, intricate, and very delicate duties, which, in the course of business must devolve on your presiding officer; and under a sense of their high moral obligation, fears arise in my mind, lest I may not be able to discharge them, in all cases, in a manner satisfactory to you, and at the same time beneficial to the people. Permit me here to assure you, gentlemen, that whatever errors may be committed in the discharge of my functions, they may be attributed to the head, and not to the heart.

Entertaining no other than the best feelings for every member of the Senate—viewing all as standing upon an honorable equality, it shall be my constant aim to apply the rules adopted for your government, with strict impartiality, and with a view to protect the rights and feelings of all. Hence, I confidently hope that this intelligent, dignified, and experienced body will, in cases of difficulty, extend to me all proper aid and indulgence. But, gentlemen, that we may be truly useful to the people, each of you have important duties to perform, on this floor. Your co-operation is necessary to ensure order, propriety and expedition in business; and I cannot but hope, that your highest ambition will be, to attain objects so desirable and essential, not only to expedite business, but to sustain the very character and dignity of this Senate. It is my ardent desire, that we may be able so to direct our deliberations, and govern our feelings, that the journals of the Senate may, hereafter, be adverted to, not for mirth or amusement, but for knowledge and instruction.

We have convened, gentlemen, at a time, and under circumstances of more than ordinary interest and importance to the citizens of Missouri; and by a course of legislation adequate to the true wants and demands of the country, we may begin to entertain rational anticipations, that Missouri, though yet in her infancy, will shortly rival many of the Atlantic States in public works of importance. In conclusion, gentlemen, looking to the Ruler of all events for aid and direction, let us proceed to business in that manner most likely to secure the approbation of our constituents, the highest and richest reward that a faithful public servant can receive.

FRANKLIN N. CANNON.

November 23, 1836.

On motion,
The Senate adjourned.

THURSDAY, NOVEMBER 24, 1836

THE Senate met pursuant to adjournment.

Mr. Ashby presented the petition of James A. Blank and others, praying the organization of a new county.

Which was referred to a select committee, consisting of Messrs. Ashby, Jones of Cooper and Walsh. Also

A petition of Samuel E. Todd and others, praying the organization of a new county, to be taken off of the counties of Carroll and Chariton.

Which was also referred to the above select committee.

Mr. Byrd presented a petition of James N. Henderson, praying an extension of time to make his returns, as collector of the county of Cape Girardeau.

Which was referred to a select committee, consisting of Messrs. Byrd, Sterigere and Lee.

Mr. Vanarsdall moved a reconsideration of the resolution in relation to the distribution of the Governor's message.

Which was agreed to.

Mr. Ashby moved to amend the resolution by striking out all after word "referred," and insert "a select committee."

Which was agreed to.

The resolution, as agreed to, is as follows:

Be it resolved by the Senate, That the message of the acting Governor of this State, be referred to a select committee, for distribution among the several standing committees.

The Chair appointed Messrs. Vanarsdall, Robison, and Ashby, that committee.

On motion of Mr. Sterigere,

Resolved, That Mr. Vanarsdall be added to the committee on civil ture.

Which was agreed to.

Mr. Ashby offered the following:

Resolved. That the committee on internal improvements be instructed to inquire into the expediency of changing the present law on roads and highways, and that they report by bill, or otherwise.

Mr. Smith moved to amend the resolution, by adding "that they inquire into the constitutionality of roads and highways generally.

Which amendment was agreed to, and the resolution as amended was adopted.

Message from the House of Representatives, by Mr. Ralls.

The House have this day adopted the following resolution:

Resolved, That the committee, on the part of the House, to inquire into the expediency of adopting the banking system, be authorized (if the Senate concur therein) to act jointly with such committee as may be appointed on the part of the Senate, as it regards a state bank.

On motion of Mr. Smith,

The resolution was concurred in.

On motion of Mr. Robison,

Messrs. Smith, Walsh, Robison, Sterigere, and Lee, were appointed on the part of the Senate, to join the committee of the House, authorized by the above resolution.

Mr. Jones of Cooper gave notice that he would, on Monday next, ask leave to introduce a bill, supplementary to the several laws regulating estrays.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There has this day been introduced into the House of Representatives, a bill, supplementary to an act, entitled “An act to provide for levying, assessing, and collecting the revenue.”

Approved, March 14, 1835.

On motion of Mr. Robison,

The communication of the Secretary of State, on the subject of printing for the General Assembly, was taken up and referred to the committee on job printing.

On motion of Mr. Ashby,

Ordered, That the communication of the Secretary of State, furnishing a list of members elected to the Senate, and also the certificates of election of the members elected at the last general election, be referred to the committee on elections.

Mr. Thompson offered the following:

Resolved, That two thousand copies of the Governor's, and two thousand of the Lieutenant Governor's inaugural addresses be printed for the use of the members.

Which was agreed to.

Mr. Campbell offered the following:

Resolved, That when any document is ordered by the Senate to be printed, and no number of copies is specified, one hundred and twenty copies shall be printed, and the Doorkeeper shall furnish one copy to each member and officer of the Senate, and deliver the remainder to the Doorkeeper of the House of Representatives, for the use of its members.

Which was adopted.

Mr. Rawlins offered the following:

Resolved, That the committee on education be instructed to inquire into the expediency of amending the law relative to township school

lands, so as that the money arising from the sales of said lands, may be placed in the immediate possession of the trustees of each incorporated township, with leave to report by bill, or otherwise.

Which was adopted.

On motion of Mr. Weaver,
The Senate adjourned.

FRIDAY, NOVEMBER 25, 1836.

THE Senate met pursuant to adjournment.

Mr. Vanarsdall, from the select committee, to which was referred the Governor's message for distribution among the several standing committees, submitted the following report:

The committee appointed to make distribution of the various important subjects recommended in the message of the acting Governor of this State, to the appropriate standing committees, have instructed me to submit the following:

All that portion of the message relating to agriculture, to the committee on agriculture.

That portion relating to the fiscal affairs of the State, to the committee on accounts.

That portion relating to the State debt, to the committee on ways and means.

That portion relating to the state library, seminary, and school funds, to the committee on education.

That portion relating to the penitentiary, to the committee on the penitentiary.

That portion relating to the public buildings, to the committee on the seat of government.

That portion relating to roads, and other improvements of highways, to the committee on internal improvements.

That portion relating to the judiciary, to the committee on civil judicature.

That portion relating to the militia, to the committee on the militia.

That portion relating to banking, to the joint committee on banking.

Your committee recommend the adoption of the following resolution:

Resolved, That Messrs. Vanarsdall, Ashby, Dawson, Byrd, and Jones of Cooper, be appointed a committee on federal relations.

And that all those parts of the Governor's message that relate to our boundary lines, public lands, and Santa Fe trade, be referred to the committee on federal relations.

Which resolution was adopted.

Mr. Robison submitted the following report:

The committee on job printing, to whom was referred a communi-

cation from the Secretary of State, containing the following proposals from Calvin Gunn, in relation to printing, viz:

For close work, one dollar and seventy-five cents per thousand ems, per one hundred copies, and for each additional hundred copies, thirty-seven and a half cents per hundred ems.

For jobs between three thousand and five thousand ems, two dollars and twenty-five cents per thousand ems, under three thousand ems, two dollars and seventy-five cents per thousand for the first hundred copies.

For jobs exceeding fifteen hundred ems, twenty-five cents per hundred ems for each additional hundred copies.

Those exceeding twenty-five hundred ems, twenty cents per thousand ems for each additional hundred copies.

Rule and figure work double the above prices.

The bill printing, at four dollars per page, each page to contain three thousand ems, consisting of twenty-seven lines of forty-four ems each.

For blanks, one dollar and fifty cents per quire.

The committee have instructed me to recommend to the Senate, to accept of the proposals, they being the only proposals likely to be made.

Robert D. Dawson, of New Madrid, appeared, and took his seat.

Mr. Goforth, from the select committee to which was referred the petition of Andrew Jamison and James H. Relph, reported

“A bill for the relief of Andrew Jamison and James H. Relph.

Which was read a first time, and ordered to a second reading.

James Jones, of Pike, appeared and took his seat.

Mr. Byrd, from the select committee to which the subject was referred, reported

“A bill for the relief of James N. Henderson,” collector of Cape Girardeau county.

Which was read a first time, and ordered to a second reading.

Mr. Weaver presented a petition of sundry citizens of Taney county, praying the organization of said county.

Which was referred to a select committee, consisting of Messrs. Weaver, Sterigere, and Thompson.

Mr. Weaver gave notice, that he would, on Thursday next, introduce

“A bill to ascertain and establish the western boundary line of Green county.”

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have added Messrs. Bay and Doniphan to the select committee on the subject of the banking system. Also,

There have been introduced into the House of Representatives,

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a bill supplementary to an act, entitled,

"An act to provide for levying, assessing, and collecting the revenue," approved March 14th, 1835.

Mr. Smith from the joint committee selected by the Governor, to settle with the auditor and treasurer, submitted the following report:

REPORT

OF THE EXAMINING COMMITTEE OF THE TREASURER'S AND AUDITOR'S OFFICES.

"The undersigned, the committee selected by the Governor for that purpose, respectfully report that they have settled with the Auditor and Treasurer, and find that in the two fiscal years next preceding the first day of October, 1836, there was received into the Treasury, from all sources, including several balances unexpended, on the first day of October, 1834, the sum of \$242,165 05. In the same period there was expended the sum of \$161,887 51, leaving a balance in the Treasury unexpended on the first day of October, 1836, of \$80,277 54. Between the first day of October and the 14th day of November, 1836, there was received into the Treasury the sum of \$746 57 making with the above balance, the sum of \$81,024 11. At the last mentioned date, we found in the Treasury a certificate of deposit on the Agency of the Commercial Bank of Cincinnati, at St. Louis, on which there remained a balance undrawn, amounting to \$11,290 00: warrants redeemed showing an expenditure between the first day of October and the 14th day of November, 1836, both days inclusive, amounting to \$15,995 00; and in current money of the United States, the sum of \$52,993 11. Making the total of \$81,024 11. With the exception of an odd cent or two, we find no discrepancy between the books of the Auditor and those of the Treasurer. They balance each other.

Respectfully,

HANS SMITH, Senator.

STERLING PRICE, Rep.

JOHN C. EDWARDS, Rep.

Committee selected to settle with the Auditor and Treasurer.

Which was received, and ordered to be printed.

Mr. Vanarsdall presented the petition of Joab Mobley, praying a divorce,

Which, together with the accompanying documents, were referred to the committee on civil judicature.

Mr. Smith offered the following:

Resolved, That the committee on civil judicature be instructed to inquire into the constitutionality, of divorces, granted by the legislature.

Mr. Robison moved to lay the resolution on the table,

Which was decided in the negative.

The resolution was adopted.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House have this day adopted the following,

Resolved, If the Senate concur therein, that the two houses will this evening, immediately after the election of Senator to the Congress of the United States, proceed to the election of a State Treasurer.

On motion of Mr. Smith

The Senate concurred in the resolution of the House of Representatives.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day adopted the following resolution:

Resolved, That the Senate be informed that the House of Representatives is now ready to go into the election of a Senator to the Congress of the United States and a State Treasurer, when it shall suit the convenience of the Senate to attend, and that the left of of the Speaker's chair is set apart for their accommodation.

On motion of Mr. Ashby,

The Senate repaired to the Hall of the House of Representatives, for the purpose aforesaid.

Mr. Ashby nominated Lewis F. Linn for Senator,

The vote was taken, and Mr. Linn was declared to be unanimously elected Senator, to the Congress of the United States, for six years from and after the third of March next.

The two houses then proceeded to the election of State Treasurer.

Mr. Smith nominated John Walker.

The vote was taken, and Mr. Walker was declared to be unanimously elected Treasurer of the State of Missouri for two years.

After which the Senate retired to its chamber.

Mr. Walsh from the committee on elections, submitted the following report:

The committee to whom was referred the credentials of the Senators elected at a general election, held on the first Monday in August, 1836, have examined the same and find them in legal form, and that the following gentlemen are duly elected.

From the second senatorial district—Francis Deguire.

From the third senatorial district—Abraham Byrd.

From the sixth senatorial district—David Sterigère.

From the seventh senatorial district—Elliott Lee and John Walsh.

From the eighth senatorial district—William M. Campbell.

From the twelfth senatorial district—Owen Rawlins and Thomas J. Gorham.

From the seventeenth senatorial district—Joseph Montgomery.

From the twentieth senatorial district—David Jones.

On motion of Mr. Smith,
Messrs. Sterigere and Campbell were added to the joint committee on the banking system.

On motion of Mr. Ashby,
The Senate adjourned.

SATURDAY, NOVEMBER 26, 1836.

THE Senate met pursuant to adjournment.

Mr. Goforth presented, a petition of sundry inhabitants of the attached parts of Randolph and Chariton counties, praying the formation of a new county, and the attachment to said county, (when formed) a certain part of Randolph county.

Which was,

On motion of Mr. Rawlins,

Referred to a select committee of Messrs. Gorham, Sterigere, and Jones of Cooper.

Mr. Sterigere presented a petition of sundry inhabitants of Benton county, praying the restoration of Joseph McCarty, who was convicted of perjury, to the rights of a citizen.

Mr. Vanarsdall moved to refer the petition to the committee on Civil Judicature.

Which was, by consent of the Senate, withdrawn—and,

On motion of Mr. Sterigere,

The petition was referred to a select committee, consisting of Messrs. Montgomery, Goforth, and Valle.

Mr. Weaver, from the committee to which was referred a petition of sundry inhabitants of the county of Taney, reported

“A bill to organize the county of Jasper, and for other purposes therein named.”

Which was read a first time.

Mr. Weaver moved to dispense with the rule, and read the bill a second time.

Which was overruled—and

The bill was ordered to a second reading.

Mr. Vanarsdall, pursuant to notice, introduced

“A bill to prohibit the publication, circulation, or promulgation of abolition doctrines.”

Which was read a first time, and ordered to a second reading—and ordered to be printed. Also,

“A bill to tax all agencies in this State that exercise the functions of banking, without the authority of this State.”

Which was read a first time, and ordered to a second reading—and ordered to be printed.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day adopted the following resolution:

—*Resolved by the House of Representatives*, (the Senate concurring therein) That a joint committee be appointed to contract for the printing of the laws and journals of the two Houses of the General Assembly at this session.

On motion of Mr. Vanarsdall,

The Senate concurred in the above resolution.

And Mr. President appointed Messrs Vanarsdall, Byrd, and Sterigere, to act on the part of the Senate with the committee of the House.

Mr. Campbell offered the following:

—*Resolved*, That, unless expressly ordered, the Secretary shall not spread at large upon the journals the reports of committees, nor communications to the Senate, except communications from the Governor of the State

Which was rejected.

The bill for the relief of J. N. Henderson was taken up and read the second time, and committed to a committee of the Whole House, and made the order of the day for Monday next. Also,

The bill for the relief of Andrew Jamison and J. H. Relph was taken up and read a second time, and committed to a committee of the Whole House, and made the order of the day for Monday next.

Mr. Smith asked and obtained leave to introduce

“A bill to repeal a part of the act concerning crimes and their punishments.”

Which was read a first time—and,

On motion of Mr. Valle,

Laid on the table.

On motion,

The Senate adjourned until nine o'clock on Monday.

MONDAY MORNING, NOVEMBER 28, 1836.

The Senate met pursuant to adjournment.

Mr. Williams presented the petition of Harvey H. Coalgen, praying the exclusive right of ferriage belonging to the City of Jefferson, for a term of time.

Which was,

On motion of Mr. Williams,

Referred to the committee on the Seat of Government.

Mr. Vanarsdall offered the following:

Resolved, That the committee on Federal Relations be instructed to inquire into the expediency of memorializing Congress on the subject of passing pre-emption laws, by which the labors of actual settlers on the public lands may be protected.

Which was adopted.

Mr. Jones of Cooper, pursuant to notice, asked and obtained leave to introduce

“A bill amendatory of the stray laws.”

Which was read a first time, and ordered to a second reading.

Mr. Smith presented a petition of Vandoren, Peas, & Co., praying a charter for the construction of a rail road from the Iron Mountain to the Mississippi river; also, from the Iron Mountain to Jefferson City, and for other purposes therein specified.

Mr. Smith offered the following:

Resolved, That so much of the petition as relates to science be referred to the committee on Education, so much as relates to the qualification of teachers be referred to the committee on Education, so much as relates to roads, &c. be referred to the committee on Internal improvements, so much as relates to agriculture to the committee on Agriculture.

Mr. Vanarsdall moved to amend the resolution by striking out all after the word “resolved,” and inserting the following:

That so much of said petition as relates to agriculture be referred to the committee on Agriculture, so much thereof as relates to a seminary of learning to the committee on Education, so much thereof as relates to rail roads, to the committee on Internal Improvements.

Which was adopted.

A bill to prohibit the circulation, publication, and promulgation of abolition doctrines, was read a second time and committed to a committee of the Whole House.

A bill to tax all agencies that exercise the functions of banking without the consent of the State, was read a second time and committed to a committee of the Whole House, and made the order of the day for the second day of January next.

A bill to organize the county of Jasper and for other purposes, Was read a second time, and committed to a committee of the Whole House.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills of the following titles:

A bill to repeal in part an act entitled,

“An act concerning strays.”

“A bill declaring certain county roads, a part of the state road.

“A joint resolution, providing for the distribution of the road and canal fund, which has accrued, since the organization of the new

counties, by the last general assembly, so as to give each new county its proportion.

The House have appointed Messrs Watts, Fort and Clark, a committee on their part, to join the committee on the part of the Senate, in relation to the printing, of the laws and journals of the present session.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have adopted the following resolution:

Resolved, By the House of Representatives, the Senate concurring therein, that the standing committee, on education, on the part of this House, may act in conjunction with the committee on education on the part of the Senate, whenever the two houses may think proper.

On motion of Mr. Ashby,

The Senate resolved itself into a committee of the whole house, on the orders of the day, Mr. Ashby in the chair, and after some time spent therein, the committee rose and the chairman reported,

That the committee of the Whole House have had under consideration,

“A bill for the relief of J. N. Henderson,” collector of Cape Girardeau county.

And have directed the chairman to report the same, with an amendment. Also,

“A bill for the relief of Andrew Jamison and James H. Relph.”

And had directed him, to report the same without amendment.

Mr. Thompson moved to lay the report of the committee on the table,

Which (with leave of the Senate) was withdrawn so far as related to the bill for the relief of the collector aforesaid, and that part of the report which related to him was agreed to.

The question will the Senate agree to the residue of the report recurring,

Mr. Thompson moved to amend by striking out “seventy-eight” and inserting “twenty-two.”

Mr. Ashby moved to re-commit the bill,

Which was decided in the negative.

On motion of Mr. Ashby,

The residue of the report together with the amendment, was laid on the table.

The bill for the relief of J. N. Henderson was ordered to be engrossed and read a third time to-day—and,

The bill as engrossed was read a third time and passed.

Ordered that the title of said bill be,

“An act for the relief of J. N. Henderson,” collector of Cape Girardeau county.

On motion of Mr. Vanarsdall,

The concurrent resolution from the House of Representatives, in relation of raising a joint committee on the public library, was taken up and concurred in.

Messrs. Dawson, Jones of Cooper, and Valle, were appointed a committee on the part of the Senate. to act with the committee of the House of Representatives.

On motion of Mr. Vanarsdall,

The resolution of the House of Representatives, authorizing the standing committees on education, of each house, to act jointly, was concurred in by the Senate.

Mr. President laid before the Senate, a communication of the Auditor of public accounts, the reading of which,

On motion of Mr. Sterigere,

Was dispensed with.

On motion of Mr. Vanarsdall,

The communication was ordered to be printed, and is as follows:

TREASURY DEPARTMENT, AUDITOR'S OFFICE, MISSOURI;

CITY OF JEFFERSON, NOVEMBER 21st, 1836.

THE Auditor of Public Accounts has the honor to lay before the General Assembly his Report, shewing the Receipts and Expenditures of the State, during the two fiscal years, ending the 30th day of September, 1836; together with a view of the condition of the Road and Canal, Seminary and Saline Funds, and a statement of the State Debt; also, an estimate of Receipts and Expenditures to the 1st day of October, 1838.

RECEIPTS.

The following exhibits the amount received at the Treasury, from all sources, during said two years; to which are added the sums in the Treasury, under the several heads therein set forth, upon the 1st day of October, 1834.

The quarter and year received, &c.	Revenue.	Road and Canal Fund.	Int. on 3 per cent. fund	Seminary fund.	Saline Fund.	Total.
4th quarter of 1834	\$54,909,17			1,528 45	100 00	\$56,537 62
1st do 1835	2,487,70		4 50		809 91	3,302 11
2d do 1835	663,20	8,456,17		50 00	319 91	9,489 27
3d do 1835	5,059,96				4,133 19	9,193 15
Am't rec'd 1st fiscal y'r,	63,120,03	8,456,17	4 50	1,578 45	5,363 00	78,522 15
" 4th quarter 1835	58,446,09			1,258,66	918 91	60,623 66
" 1st do 1836	4,345,52				563 04	4,908 56
" 2d do 1836	6,177,70	8,045 49			541 57	14,764 76
" 3d do 1836	2,099,98	36,500 00			630 83	39,230 81
Am't rec'd 2d fiscal year,	71,069,29	44,545 49		1,258 66	2,654 35	119,527 75
Total rec'd 2 fiscal years	134,189,32	53,001 66	4 50	2,837 11	8,017,35	198,049 95
Add balance in Treasury 1st October, 1834.	1,870,93	66	1,101 50	33,113 07	8,028 94	44,115 10
Making the amount	136,060 25	53,002 32	1,106 00	35,950 18	16,046 29	\$242,165 05

EXPENDITURES.

4th qr. of 1834	27,168,69½	4th qr. of 1835	16,513,27½
1st " " 1835	49,195,11	1st " " 1836	9,619,15
2d " " 1835	12,934,16½	2d " " 1836	6,972,90
3d " " 1835	7,749,72½	3d " " 1836	7,469,99
Total amount		Total amount	
1st fiscal year.	95,347,71	2d fiscal year, .	40,575,31½

Amount of the two fiscal years for which warrants have been drawn, ... \$135,923,02½

To which add amount paid by Treasurer under special acts of February 18th, and 16th March, 1835, for which no warrants were issued, ... 90,54

Making amount of expenses of the two fiscal years, 136,013,56½

In this amount are included the following items, viz:

Balance of appropriation for building Jail and Penitentiary, ... \$8,333,33½

Extraordinary expenses of the last General Assembly, including printing, &c. 25,000,00

Special Acts, ... 6,413,89

Amounting to 39,747,22½

Which, deducted from the above amount, will leave as the ordinary expenses of the government for two years, ... \$96,266,34

The following table will exhibit the amount of Warrants drawn during the 2 last fiscal years, under their appropriate heads, the amount appropriated, and the unexpended balance of each appropriation.

HEADS OF APPROPRIATION.	Amount appropriated.		Amount expended.		Amount unexpended.	
	\$	cts.	\$	cts.	\$	cts.
Building Jail and Penitentiary House, ...	8,333	33½	8,333	33½		
Acts making further provision for the Executive Department of the State, ...	394	00	394	00		
Pay of salaries of Civil officers of Government, ...	37,309	12	30,939	92	6,369	20
Pay of expenses of Loan office, ...	594	36	18	43	575	93
Pay of county Revenue, ...	2,881	02	859	01	2,022	01
Pay of General Assembly, ...	54,621	15	43,004	42	11,616	73
Pay of Contingent and Joint expenses of the Senate and House of Representatives, ...	5,650	90	4,513	95	1,136	95
Pay of General contingent fund, ...	14,185	37	11,659	40½	2,525	96½
Pay of assessing, &c. Revenue, ...	15,081	58	12,294	53½	2,787	04½
Pay of Public Printing, ...	9,550	00	9,550	00	00	00
Pay of distributing Laws and Journals, ...	614	15	573	81	40	34
Pay of copying laws & journals	699	53	699	53	00	00
Pay of publication of Decisions of Supreme Court, ...	3,999	67	1,682	87	2,316	80
Pay of contingent expenses of Elections, ...	840	22	00	00	840	22
Pay of contingent expenses of Auditor of Public Accounts, ...	1,028	68	677	13	351	55
Pay of contingent expenses of State Treasurer, ...	344	70	165	44½	179	25½
Pay of contingent expenses of Attorney General, ...	191	45	165	00	26	45
Pay of contingent expenses of Secretary of State, ...	1,673	78	1,083	15	590	63
Pay of clerk hire of Auditor of Public Accounts, ...	1,459	25	809	25	650	00
Pay of contingent expenses of Militia, ...	1,113	06	863	50	249	56
Pay of Militia officers, ...	900	00	579	16	320	84
Revising, digesting and compiling statute laws of this state, ...	200	00	200	00	00	00
Purchase of books for State Library, ...	900	00	533	83	366	17
Special Acts, ...	6,648	00	6,413	89	234	11

For taking enumeration of the inhabitants of this State,	4,000 00	00 00	4,000 00
Pay of the members and contingent expenses of a convention,	12,000 00	00 00	12,000 00
Expenses of surveying and permanently establishing the northern, southern and western boundary lines of this state,	3,000 00	00 00	3,000 00
Total	188,213 32½	136,013 56½	52,199 75½

REVENUE.

Amount of Revenue received during the two fiscal years, ending the 30th September, 1836,	\$134,189 32½	
Amount remaining in the Treasury on the 1st of October, 1834,	1,870 93	136,060 25½
To which add amount borrowed by the Governor, 1st October, 1834,	10,000 00	
By do 21st March, 1835,	23,113 07	33,113 07
From which		169,173 32½
Deduct the amount of warrants drawn on the Treasury, during the two last fiscal years, payable out of Revenue,	135,923 02½	
Amount paid by Treasurer under special acts for which no warrants were issued,	90 54	136,013 56½
Amount in the Treasury on the 1st October, 1836.		33,159 75½

ROAD AND CANAL FUND.

Amount received from United States for 1833, 1834, 1835, and 1st quar. of 1836.	\$53,001 66	
From which deduct the expenses of transportation and insurance on same, from St. Louis to City of Jefferson,	314 99	52,586 67
Of which sum there has been drawn by sundry counties, entitled to the same by sundry acts of the General Assembly,		25,170 24
Leaving in the Treasury of the above sum		

on the 1st of October, 1836, ...	27,516 43
To which add balance in the Treasury on the 1st October, 1834, ...	66
Making the sum in Treasury, on the 1st October, 1836, of	\$27,517 09

INTEREST ON THE THREE PER CENT. FUND.

Amount in the Treasury on the 1st day of October, 1834, ...	\$1,101 50	
This sum paid into the Treasury for am't. overdrawn, ...	4 50	
From which, ...		1,106 00
Deduct amount paid for surveying and "marking out State road, under act of the General Assembly, approved 21st January, 1833, ...	101 50	
Amount overdrawn, ...	4 50	
		106 00
Leaves in the Treasury, on the 1st Octo- ber, 1836, appropriated for bridging Big Swamp, ...		\$1,000 00

SEMINARY FUND.

Amount in the Treasury on the 1st of Oc- tober, 1834, ...		33,113 07
Amount received on account of sales since that time, ...	2,837 11	
From which deduct expenses of sales, ...	187 03	2,650 08
From which		35,763 15
Deduct amount borrowed by the Govern- or on the 1st October, 1834, ...	10,000 00	
Also, 21st March, 1835, ...	23,113 07	
	33,113 07	
Amount remaining in the Treasury on the 1st October, 1836, ...		2,650 08

SALINE FUND.

Amount in the Treasury on the 1st Oc- tober, 1834, ...	8,028 94
Amount received by Treasurer for lands	

entered since that time, ...	8,017 35	
From which, ...	<u>16,046 29</u>	
Deduct amount refunded John G. Shields by Treasurer, under act approved 11th December, 1834, for which no warrant issued, ...	95 68½	
Amount in the Treasury on 1st October, 1836, ...	<u>15,950 60½</u>	
Total amount of all funds in the Treasury on the 1st day of October, 1836, ...		<u>\$80,277 55</u>

SEMINARY FUND.

The Seminary Fund, on the 1st day of October, 1836, consisted of,		
Amount in the Treasury, ...		2,650 08
Amount borrowed by the Governor for Revenue purposes, for 1833 and 1834, ...	20,000 00	
“ to pay off State Loan in 1833, ...	3,903 75	
“ for revenue purposes on 1st Octo- ber, 1834, ...	10,000 000	
“ “ do do 21st March, 1835, ...	23,113 07	
Interest on the above sums, up to 1st Oc- tober, 1836, ...	<u>7,897 45</u>	<u>64,914 27</u>
Total amount of Seminary Fund, ...		\$67,564 35
The Saline Fund, on the same day, con- sisted of, amount in the Treasury, ...	15,950 60½	
Amount due by the State to said fund, borrowed by the Treasurer, under an act of the General Assembly, to pay the amount due 3 per cent. fund, ...	<u>22,904 80</u>	
Total amount of Saline fund		\$38,855 40½

STATE DEBT.

The amount of the State debt, on the first day of October, 1836, consisted of,	
Amount borrowed of Seminary fund, as be- fore shown, principal, ...	\$57,016 82
Interest on the same, ...	<u>7,897 45</u>
	64,914 27

Amount borrowed from Saline fund, as before shown,	22,904 80	
Total amount of the State debt on the 1st day of October, 1836,		\$87,819 07

ESTIMATES.

The following are the estimates of the receipts and expenditures for the two fiscal years, commencing the 1st of October, 1836,

Am't to be paid into the Treasury 1st year,	68,000 00	
“ “ “ 2nd year,	75,000 00	
To which,	143,000 00	
Add amount in the Treasury on the 1st day of October, 1836,	33,159 75	
From which,		176,159 75
Deduct the ordinary expenses of the Government, including pay of the General Assembly, 1st fiscal year,	68,000 00	
Ordinary expenses of the 2d fiscal year,	35,000 00	103,000 00
Which will leave in the Treasury on the 1st day of October, 1838,		\$73,159 75

From the view exhibited in the foregoing statement of the finances of the State, the Auditor believes he risks but little in saying that it is only necessary to impose an *ad valorem* tax on merchandise, which is omitted in the present law, and so to amend the law for the assessment of property, as to insure its valuation at a fair and uniform price, to relieve the State entirely of all her debts in the next two years.

From the manner in which many of the clerks formerly certified the settlements with the collectors to this office, it is impossible to make any thing like a correct estimate of the amount of revenue lost to the State from the omission of the tax on merchandize. Instead of certifying the amount received for licences, and the amount upon the stock of goods separately, they only certified the gross amount, which renders it impossible to say what the actual loss of revenue to the State from this omission is.

The returns likewise made to this office, will show the greatest inequality in the valuation of taxable property. In some counties property, intrinsically of the same value, is rated fifty or a hundred per cent. higher than in other counties. The Auditor is aware of the difficulty of remedying this evil, but would remark, that no plan has suggested itself to him as more likely to succeed, than a provision by law, making it the imperative duty of the assessor, to require

every person owning taxable property, to deliver a list of the same, upon oath, as to its value, estimated at the highest price it would sell for in cash. Should any person refuse to comply with the provision of the law, let the assessor be required to value the same. A further provision should be added, making it the duty of the county court, before allowing the assessor's account, to require him to declare upon oath, that he has fully complied with the law in this respect.

Understanding that a bill is now before the General Assembly, providing that collectors shall receive a higher compensation than is now allowed by law for collecting the revenue, the Auditor would barely remark, that the present commission allowed those officers, seems to him entirely insufficient for the services they are required to perform. In perhaps a majority of the counties of this State, the total amount of commission at the present rate, will not exceed fifty dollars, for three or four months arduous and responsible duties.— From information entitled to full credit, it is believed that unless a more liberal and equitable compensation should be allowed, it will be impossible, in many counties to procure persons who will undertake the collection of the revenue.

All of which is respectfully submitted.

PETER G. GLOVER.

On motion,
The Senate adjourned.

TUESDAY, NOVEMBER 29, 1836.

THE Senate met pursuant to adjournment.
Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There has been introduced into the House of Representatives bills of the following titles:

“A bill authorizing a survey of the Osage river.”

“A bill to survey and mark out a state road from Paris, in Monroe county, to the mouth of the Des Moines river.”

“A bill to legalize the sale of township school lands.”

“A bill to amend an act, entitled an act concerning the attorney general and circuit attorneys,” approved January 5th, 1835.

“A bill supplementary to an act, entitled an act to regulate the sale of the sixteenth sections, and to provide for organizing, regulating, and perpetuating common schools.”

Mr. Vanarsdall, from the committee on Federal Relations, presented a memorial to Congress for the passage of a law, securing to each

of the actual settlers on the public lands in this State, a pre-emption right to one quarter section of land, including his improvement.

Which was read, and ordered to a second reading.

Mr. Montgomery, from the select committee to which was referred a petition on the subject, reported

“A bill for the relief of Joseph McCarty.”

Which was read a first time, and ordered to a second reading.

Mr. Weaver, pursuant to notice, asked and obtained leave to introduce

“A bill to define the western boundary of Green county.”

Which was read a first time, and was ordered to a second reading

Mr. Sterigere submitted the following:

Resolved by the Senate and House of Representatives, That the joint committee on the printing of the laws and journals, be instructed to inquire into the expediency of binding the journals of the two Houses of the General Assembly, and that they report by bill or otherwise.

Which was adopted.

Mr. Vanarsdall submitted the following:

Resolved, That Calvin Gunn, with whom a contract for the job printing of the present session has been made, be required to delay the printing of the report of the Auditor of Public Accounts until the reports of the other officers of State are received and acted on.

Which was adopted.

Mr. Lucas appeared and took his seat.

A bill amendatory of the several stray laws was read a second time—and,

On motion of Mr. Jones of Cooper,

Committed to a committee of the Whole House.

On motion of Mr. Goforth,

The report of the committee of the Whole, in relation to the bill, for the relief of Andrew Jamison and James H. Relph, was taken up.

The question on agreeing to the amendments of the committee

Was decided in the negative.

The question then recurred, “shall the bill be engrossed and ordered to a third reading?”

Which was decided in the affirmative—yeas 17—nays 6.

The yeas and nays being called for by Mr. Thompson, were as follows:

Yeas.—Messrs. Byrd, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Lee, Lucas, McClelland, McDaniel, Montgomery, Smith, Sterigere, Valle, Vanarsdall, Weaver, and Williams.

Nays.—Messrs. Ashby, Campbell, Jones of Pike, Rawlins, Thompson, and Walsh.

Mr. Robison absent, sick.

On motion of Mr. Vanarsdall,

A bill to prohibit the publication, circulation, or promulgation of abolition doctrines was taken up, and made the order of the day for the fourteenth of December next.

H

On motion of Mr. Vanarsdall,

The Senate resolved itself into a committee of the Whole House on the order of the day, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose, and the chairman reported that there was no business before the committee.

Mr. Sterigere submitted the following:

Resolved, That the Senate do now proceed to the election of an Assistant Secretary of the Senate, and that the Enrolling and Engrossing Clerks of the Senate shall not hereafter be required to assist the Secretary of the Senate in the discharge of his duties.

Which was,

On motion of Mr. Jones of Cooper,

Laid on the table.

On motion,

The Senate adjourned.

WEDNESDAY, NOVEMBER 30, 1836.

THE Senate met pursuant to adjournment.

Mr. Montgomery gave notice that, on to-morrow, he would ask leave to introduce a bill to establish the permanent seat of justice of Benton county.

Mr. Sterigere gave notice that, on to-morrow, he would ask leave to introduce a bill, supplementary to an act concerning dower.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There has been introduced into the House of Representatives

“A bill to incorporate the trustees of the Richmond Academy.”

The House have passed a bill, entitled

“An act for the relief of the collectors for the year 1836.”

And have adopted a concurrent resolution, requiring the committee on the Judiciary to inquire into the constitutionality and legality of the established roads and highways, and asking that the Judiciary committee in each House may act jointly on the subject, both of which are herewith submitted.

The committee on the Judiciary, on the part of the House is composed of Messrs. King, Doniphan, Bowlin, Wright of Marion, Bay, Young, Chambers, Monroe, and Davis.

Messrs. Wright of Warren, Edwards, and Morris, have been appointed the committee, on the part of the House, in relation to the State library.

On motion of Mr. Ashby,

The rule requiring previous notice to be given was dispensed with—and,

Mr. Ashby asked and obtained leave to introduce a bill to provide for organizing counties hereafter established.

On motion of Mr. Weaver,

The rule requiring bills to be read on three several days was dispensed with, and the bill read a second time—and,

On motion of Mr. Ashby,

Committed to a committee of the Whole House.

Mr. Vanarsdall gave notice that, on Friday next, he would introduce a bill explanatory of our present law concerning evidence.

On motion of Mr. Goforth,

Mr. Sterigere was added to the committee on Education.

On motion,

A bill for the relief of Joseph McCarty was read a second time, and committed to a committee of the Whole House.

A bill to define the western boundary of Green county was read a second time, and ordered to be engrossed and read a third time on Saturday next.

A memorial to Congress, from the committee on Federal Relations, on the subject of pre-emption rights, was read a second time, and committed to a committee of the Whole House.

An engrossed bill for the relief of Andrew Jamison, was read a third time and passed.

On motion of Mr. Ashby,

The concurrent resolution of the House of Representatives, proposing that the committee on the Judiciary of each House should act jointly, in the inquiry into the constitutionality and legality of the several roads and highways laid out and established in this State, and if, in their opinion, the said roads are unconstitutional and illegal, requiring them to report a proper remedy, was taken up.

Mr. Ashby moved to concur in the resolution.

Which, with the consent of the Senate, was withdrawn.

Mr. Smith renewed the motion to concur.

Which was decided in the negative, and the resolution was disagreed to by the Senate.

On motion of Mr. Lucas,

The committee on Internal Improvements was discharged from the further consideration of roads and highways, and the subject was referred to the committee on Civil Judicature.

Mr. Vanarsdall offered the following:

Resolved, That a standing committee of five be raised, on the part of the Senate, and that they be styled and known by the name and style of the committee on Manufactures.

Which was adopted.

Mr. Smith submitted the following report:

The joint committee on the Banking System have reported a bill to charter a bank to the House of Representatives.

Mr. Vanarsdall, from the committee on Internal Improvements, reported a bill to charter the Missouri Iron Company.

Which was,

On motion of Mr. Ashby,
Laid on the table.

On motion of Mr. Smith,

The Senate resolved itself into a committee of the Whole House, Mr. Smith in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee have had under consideration,

"A bill to provide for organizing counties hereafter established."

And he reported the same with amendments.

Which report was agreed to, and the bill ordered to be engrossed, and it passed to a third reading.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 1, 1836.

THE Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives bills entitled,

"A bill to survey and mark out the north boundary of the State."

"A bill to charter the Union Bank of the State of Missouri."

"A bill for the relief of John F. Cleaveland."

"A bill to incorporate the Marine Insurance Company of St. Louis." And

"A bill supplementary to an act concerning contracts and promises."

Mr. Lucas presented a petition of Samuel Massey, proposing to clear out the channel of the Gasconade river from the mouth to where the line dividing townships forty and forty-one crosses said river, and asking the right to collect a reasonable tonage on all steamboats that ascend said river for the term of twenty years; or the right to keep a house of exchange in the city of St. Louis, with the right to purchase and sell inland and foreign bills of exchange, to give and receive notes obligatory as evidences of debt, and to exchange all monies, free and clear of any tax or duty on the capital so employed, on account of the privilege so granted for the aforesaid term of time.

Which was,

On motion of Mr. Smith,
Laid on the table.

Mr. Rawlins, from the committee on Education, reported

"A bill to charter the Missouri City University."

Which was read the first time, and the rule requiring bills to be read on three several days was dispensed with, and the bill read a second time—and,

On motion,

Committed to a committee of the Whole House, and ordered to be printed.

Mr. Vanarsdall offered the following:

Resolved, That the committee on the Seat of Government be instructed to call on the Commissioner of the Seat of Government to furnish them with a full and perfect list of all lots and lands that now remain unsold, belonging to the State, at the seat of government, and when ascertained, that they make report thereof.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed a bill, entitled

“An act to regulate the apportionment of the road and canal fund.”

Which is herewith submitted for the concurrence of the Senate.

The chair appointed the following gentlemen a standing committee on Manufactures, viz: Messrs. Campbell, Byrd, Jones of Pike, and Walsh.

Mr. Sterigere, pursuant to notice, introduced a bill supplementary to an act concerning dower.

On motion of Mr. Smith,

The petition of Samuel Massey was taken up—and,

On his motion,

Referred to the committee on Internal Improvements.

On motion of Mr. Vanarsdall,

A bill to charter the Missouri Iron Company was taken up and read a first time.

On motion of Mr. Sterigere,

The rule requiring bills to be read on three several days was dispensed with, and the bill read a second time—and,

On motion of Mr. Dawson,

Recommitted to the committee on Internal Improvements.

An engrossed bill from the House of Representatives for the relief of collectors for the year 1836, was taken up and read the first time, and the rule requiring bills to be read on three several days was dispensed with, and the bill was read a second time, and committed to a committee of the Whole House.

Mr. Montgomery, pursuant to notice, introduced a bill to establish the permanent seat of justice for the county of Benton.

Which was read a first time, and passed to a second reading.

Mr. Campbell offered the following:

Resolved, That the committee on Internal Improvements be directed to inquire into the expediency of establishing a board of public works, and employing permanently, on behalf of the State, one or

more civil engineers to make examinations and surveys of rivers, and routes for rail roads, roads, canals, and other public works. Also, to inquire into the expediency of establishing a system of internal improvements, based on the principle that whenever any turnpike or rail road of public importance shall be undertaken by a company chartered by this State, and two thirds of the necessary stock shall have been subscribed, and either paid in or secured, the State shall take one third of said stock, and that the necessary funds, on the part of the State, be raised by loans for that purpose.

Which was laid on the table.

On motion of Mr. Campbell,

The Senate resolved itself into a committee of the Whole House, Mr. Campbell in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered

“A bill for the relief of Joseph McCarty.”

And had directed him to report the same without amendment.

On motion of Mr. Ashby,

The report of the committee was laid on the table.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 2, 1836.

THE Senate met pursuant to adjournment.

Mr. Weaver presented the petition of John Jamison, and other inhabitants of Murray county, Tennessee, praying the passage of an act for the relief of the orphan children of Finis W. Shannon, deceased, late of the county of Green, and State of Missouri.

Which was referred to a select committee of Messrs. Weaver, Jones of Pike, and Lee.

Mr. Campbell, from the committee on Civil Judicature, to which was referred that portion of the Governor's message which relates to the judiciary, reported a bill, entitled

“An act to concentrate the Supreme Court.”

Which was read a first time, and passed to a second reading.

Mr. Campbell, from the committee on Civil Judicature, submitted the following report:

The committee on Civil Judicature, to whom was referred a resolution inquiring into the constitutionality of roads generally, respectfully report that they know of but one constitutional question that has arisen under our road laws.

It has been doubted whether that part of our law, which provides for running roads through the lands of individuals without their consent, and gives no remedy to them, by way of writ of *ad quad damnum*, unless the land be improved, is not a violation of that part

of our constitution, which provides that private property shall not be taken for public use, without compensation.

Your committee believe, that every person is entitled, to compensation for the value of the land taken from him, for public roads, and to damages for all injuries sustained by him, in consequence of such road running through his land, and that he should be entitled, by law, to a writ of *ad quad dam num*, whether the land be improved or unimproved.

If this be correct, your committee believe that the owner of improved lands, thus situated, may sometimes suffer injuries under our present law, but that no other person has any cause of complaint on that account.

They believe that our statute should be amended in that particular, so as to give to the owners of lands, through which a new road may be established, the right to have a writ of *ad quad dam num* whether the land be improved or unimproved, and that the jury, in making up their verdict, should give to the owner of such land the fair cash value of the land actually occupied by the road, and also damages for the other injuries and inconveniences that such owner may suffer from such road running through his land.

They also believe, that in assessing such damages, the jury should take into consideration the benefits and advantages that would accrue to the owner of the land, from the establishment of the road, and estimate the damages accordingly.

They, therefore, recommend that the Senate direct the committee on internal improvements, to insert in the law, a provision of the following nature:

Persons through whose land any public road may be established, shall be entitled to damages, and a writ of *ad quad dam num* to have the same assessed, whether the land be improved, or unimproved; and in making up their verdicts, the jury shall give the owner the fair cash value for the land actually taken for the road, and damages for the other injuries and inconveniences resulting to the owner, from the establishment of such road. In estimating the damages, they shall also consider the advantages and benefits that will arise to said owner of the land in consequence, of the establishment of such road.

On motion of Mr. Vanarsdall,

Leave was granted to the committee on Internal Improvements, to delay their report, in relation to roads and highways until the fourteenth instant.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives, bills of the following titles,

“A bill to change the names of certain children therein named, and for other purposes.”

“A bill to declare the assent of this state to the western boundary.”

“A bill to organize the county of Audrain,”

"A bill to organize the county of Clark,"

"A bill to appropriate certain monies due Benjamin Lawhead, for printing.

Mr. Jones of Pike, gave notice, that he would on to-morrow, ask leave to introduce a bill to incorporate the Upper Mississippi Insurance Company.

Mr. Vanarsdall, from the committee on internal improvements, reported,

"A bill for the construction of the Mississippi and Iron Mountain section of the Mississippi and Pacific rail road company,"

Which was read a first time, and passed to a second reading.

On motion of Mr. Vanarsdall,

The committee on internal improvements was discharged from the further consideration of a bill to charter the Missouri iron company—and,

On his motion,

The same was referred to the committee on Manufactures.

A bill to establish the permanent seat of justice of the county of Benton was read a second time and committed to a committee of the Whole House.

An engrossed bill to organize counties hereafter established, was read a third time and passed.

Ordered, That the title thereof be—

"An act to organize counties hereafter established."

The report of the committee of the Whole, in relation to a bill for the relief of Joseph McCarty, was agreed to.

Ordered, That the bill be engrossed, and that it pass to a third reading.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed bills of the following titles:

"An act to incorporate the trustees of the Richmond Academy."

"A resolution requiring the original enrolled bills to be preserved by the Secretary of State."

Which are herewith submitted for the concurrence of the Senate.

Mr. Thompson gave notice that, on Monday the 5th of December, he would ask leave to introduce a bill to amend an act, entitled

"An act to regulate the fees of state and county officers."

Mr. Ashby offered the following:

Resolved, That the committee on Job Printing shall hereafter contract for the printing of thirty copies of all documents ordered to be printed, unless otherwise directed by the Senate.

Mr. Sterigere moved to amend the resolution by striking out "thirty," and inserting one hundred.

Which was agreed to.

Mr. Ashby moved to amend the resolution as amended, by adding, that the Doorkeeper deposit one half of the printed bills in the lobby, and distribute the remainder as usual,

Which was rejected, and the resolution as first amended was adopted.

Mr. Sterigere gave notice that, on Monday the twelfth instant, he would ask leave to introduce a bill providing for the payment of grand and petit jurors.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House, Mr. Jones of Pike in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered

“A bill for the relief of collectors for the year 1836.”

Which he reported with an amendment.

The report was laid on the table.

On motion of Mr. Jones of Cooper.

The report of the committee of the Whole, in relation to a bill for the relief of collectors for the year 1836, was agreed to, and the amendment ordered to be engrossed.

On motion of Mr. Jones of Cooper.

The Senate resolved itself into a committee of the Whole, Mr. Thompson in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered

“A bill to establish the permanent seat of justice for the county of Benton.”

And he reported the same without amendment. Also,

“A bill supplementary to an act concerning dower.”

And he reported the same with an amendment.

The report of the committee was agreed to.

A bill to establish the permanent seat of justice for the county of Benton, was laid on the table.

A bill supplementary to an act concerning dower, was ordered to be engrossed, and passed to a third reading.

An engrossed bill from the House of Representatives for the relief of collectors for the year 1836, was taken up, and the bill, together with the engrossed amendment, was read the third time.

Mr. Thompson offered an amendment, by way of rider, to the bill.

Which was rejected.

And the bill passed as amended.

Mr. Byrd called for the ayes and nays, which were ordered, and were as follows:

Ayes.—Messrs. Ashby, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Stetigere, Valle, and Walsh—14.

Nays.—Messrs. Byrd, Dawson, Lucas, Rawlins, Robison, Smith, Thompson, Weaver, and Williams—9.

On motion,
The Senate adjourned.

SATURDAY, DECEMBER 3, 1836.

THE Senate met pursuant to adjournment.

Mr. Campbell, from the committee on Internal Improvements, to which the same was referred, reported back to the Senate,

“A bill to charter the Missouri Iron Company.”

Mr. Jones of Pike, pursuant to notice, asked and obtained leave to introduce a bill to incorporate the Upper Mississippi Insurance Company.

Which was read a first time, and passed to a second reading.

On motion of Mr. Campbell,

A bill to charter the Missouri Iron Company was committed to a committee of the Whole House, and ordered to be printed.

A bill for the construction of the Mississippi and Iron Mountain section of the Mississippi and Pacific Rail Road Company, was read a second time, and committed to a committee of the Whole House, and ordered to be printed.

A bill to concentrate the Supreme Court, was read a second time, and committed to a committee of the Whole House.

An engrossed bill for the relief of Joseph McCarty; and a bill to define the boundary of Green county, were severally read a third time, and passed.

Ordered, That the title of each be “an act,” &c., as above.

A bill supplementary to an act concerning dower, was read a third time.

Mr. Lucas moved to amend the bill, by way of ryder, by inserting the word “absolutely” after the word “husband.”

The ryder was read a first and a second time, and was considered by the Senate as engrossed, and was read a third time, and the bill, together with the ryder, passed.

Ordered, That the title of the bill be

“An act supplementary to an act concerning dower.”

A joint resolution from the House of Representatives, requiring the original enrolled bills to be taken care of. And

An engrossed bill from the House of Representatives, to incorporate the trustees of the Richmond Academy.

Were severally read a first time, and passed to a second reading.

On motion of Mr. Robison,

The Senate resolved itself into a committee of the Whole House, Mr. Robison in the chair, and after some time spent therein, the com-

mittee rose, and the chairman reported, that the committee had considered

"A bill amendatory of an act, approved March 7, 1835, concerning strays."

And he reported the same without amendment.

The report of the committee was agreed to, and the bill was ordered to be engrossed, and it passed to a third reading, and was made the order of the day for Monday next.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled,

"A bill regulating proceedings on writs of *mandamus*."

"A bill for improving the navigation of the Merimac river."

"A bill for the relief of Edwin Swink."

"A bill for the relief of E. M. Alexander."

Mr. Dawson presented the petition of Andrew Ramsey, Michael McLaughlin, and John Hall, praying the passage of an act, directly giving them compensation for services rendered the State as contractors for making a road across the Big Swamp, between the counties of Cape Girardeau and Scott, under the provisions of an act therein referred to.

Which was referred to the committee on Civil Judicature.

Mr. Campbell presented a memorial to Congress on the subject of the public lands.

Which was read a first time, and passed to a second reading.

On motion,

The Senate adjourned till Monday morning.

MONDAY, DECEMBER 5th, 1836.

THE Senate met pursuant to adjournment.

Mr. Thompson, pursuant to notice, asked and obtained leave to introduce a bill to fix the compensation of justices of the county courts and their fees.

Which was read a first time and passed to a second reading

Mr. President laid before the Senate a communication from Calvin Gun, containing proposals for printing the acts of the present General Assembly.

Which, on

Motion of Mr. Weaver,

Was referred to the committee on printing.

A memorial on the subject of the public lands, was read a second time and committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, to incorpo-

rate the trustees of the Richmond Academy, was read a second time and committed to a committee of the Whole House.

A joint resolution from the House of Representatives, was read a second time and committed to a committee of the Whole House.

An engrossed bill amendatory to the stray laws, was read a third time and passed.

Ordered, That the title be,

“An act amendatory to the stray laws.”

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives,

“A bill regulating the appointment of Collector for St. Louis county.”

“A memorial to the Congress of the United States, relating to the preemption laws, and graduating the price of the public lands.”

“A resolution for the relief of Lewis Franklin and others.”

The House have passed bills entitled,

“An act to change the names of certain children therein named, and for other purposes.”

“An act to incorporate the Marine Insurance Company of St. Louis.”

Which are herewith submitted, for the concurrence of the Senate.

I am instructed by the Speaker of the House of Representatives to lay before the Senate the report of the State Treasurer, which has been laid before the House, and is also herewith submitted.

On motion of Mr. Thompson,

The Senate resolved itself into a committee of the Whole House, Mr. McClelland in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered,

“A bill to incorporate the Upper Mississippi Insurance company.”

And he reported the same with an amendment—also,

“A bill to concentrate the Supreme Court.”

And the committee had recommended to the Senate, to strike out the first section of the bill together with the enacting clause—also,

“A bill to incorporate the Trustees of the Richmond Academy,”

Which he reported without amendment—and,

A joint resolution, requiring the original enrolled bills to be taken care of by the Secretary of State.

Which the committee recommended to the Senate to disagree to—and,

“A memorial to congress in relation to the public lands.”

Which he reported without amendment.

The Senate agreed to the report of the committee of the whole.

On motion of Mr. Jones of Pike,

The memorial to Congress, on the subject of the public lands, was

considered as engrossed and it passed to a third reading.

On motion,

A bill to incorporate the Upper Mississippi Insurance Company,
Was laid on the table:

An engrossed bill from the House of Representatives, to incorporate the trustees of the Richmond Academy, was taken up and passed to a third reading.

An engrossed bill from the House of Representatives to change the names of certain children therein named, and for other purposes, was read a first time and ordered to a second reading—also,

An engrossed bill from the House entitled,

“An act to incorporate the Marine Insurance Company of St. Louis,”

Was read a first time, and ordered to a second reading.

Mr. Goforth presented a memorial of Augustus Jones, praying that a company which was incorporated by an act of the General Assembly, approved March 16th, 1835, to make a McAdamized Turnpike road from the town of Caledonia, in Washington county, to the Mississippi river, be permitted by the present legislature, to make said road after the manner of ordinary rail roads,

Which, on motion,

Was referred to the committee on internal improvements.

On motion of Mr. Robison,

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of making an appropriation for bulding a bridge at or near the mouth of Ceder creek, in Callaway county, and that they report by bill or otherwise.

Mr. Ashby gave notice that, on to-morrow, he would move to amend the rules adopted for the government of the Senate during the present session.

On motion of Mr. Robison,

The communication of the State Treasurer was taken up.

Mr. Jones of Pike moved,

That five hundred copies of the report of the State Treasurer, and five hundred copies of the report of the Auditor of Public Accounts, be printed.

Mr. Ashby moved,

To amend by adding, that five hundred copies of the report of the Warden of the Penitentiary, and five hundred copies of the report of the committee appointed by the Governor to settle with the Auditor and Treasurer be printed, on condition that the printer will furnish the number of copies of each of the above named reports, on the terms on which he has agreed to furnish extra copies of such documents.

Which motion as amended was agreed to.

Mr. Ashby presented the petition of James A. Crump, James Logan, and John W. Wells, setting forth the necessity of establishing a steam ferry boat on the Missouri river at the City of Jefferson, and

proposing to have one in operation by the first day of December next, provided the General Assembly will grant to them the right to the thoreof the river aforesaid for the term of fifteen years.

Which was,

On his motion,

Referred to the committee on the Seat of Government.

The following is the report of the Treasurer of the State, which was transmitted to the Senate by the Speaker of the House of Representatives.

TREASURY DEPARTMENT,

TRESURER'S OFFICE: STATE OF MISSOURI,

City of Jefferson, November 26, 1836.

THE HONORABLE MEMBERS OF THE SENATE, AND OF THE

HOUSE OF REPRESENTATIVES, OF THE STATE OF MISSOURI:

The undersigned has the honor of presenting to the consideration of the General Assembly, a statement of the existing situation of the finances of the State, as drawn from the books of the Treasury, and illustrated by the following exhibition of the receipts into, and disbursements from said Treasury, during the two fiscal years, commencing with the 1st day of October, A. D. eighteen hundred and thirty four, and ending with the thirtieth day of September, eighteen hundred and thirty-six.

There was a balance in the Treasury on the 1st day of October, 1834, composed of the funds of the State, available at that date, amounting to *\$44,115 10, which being added to the total amount of all sums received into the Treasury during the two preceding fiscal years, (say) 198,050 39, will constitute the total amount of all sums of money which have been in the hands of the undersigned Treasurer during the aforesaid period, \$242,165 49: if from this aggregate there be deducted the whole amount of the expenditure out of all the funds during the aforesaid period, to wit; 161,887 94, the balance remaining will be the amount of available funds in the Treasury, and due by the Treasurer to the State on the 1st of October last \$80,277 55. Which said balance is constituted by the addition of the several amounts due to the respective funds, as underwritten:

To the Revenue Fund,	- - - - -	\$33,159 78.75
“ - Seminary do.	- - - - -	2,650 08.25
“ „ Saline do.	- - - - -	15,950 59
“ Road & Canal do.	- - - - -	27,517 09
“ Interest on 3 per cent. do.	- - - - -	1,000 00

\$80,277 55

Which said several balances are proven to be just by the underwritten statement, of Receipts and Expenditures, set opposite each other, and opposite each particular fund.

RECEIPTS.

In the Treasury from all sources during the two preceeding years ending 30th September, 1836, and placed to the credit of each fund respectively in the books of the Treasury.

FUNDS	First fiscal year.				Second fiscal year.				TOTAL.
	1st quarter.	2d quarter.	3d quar.	4th quar.	1st. quarter.	2d quarter.	3d quarter.	4th quarter.	
Revenue fund	55,044 17	2,352 70	664 89	5,058 27	58,446 09	4,345 52	6,177 70	2,100 02	134,189 36
	*10,100	23,113 07							34 984
	*1,870 93								
Seminary do	1,528 45		50		125,866 25				283,711 25
Saline do	100	809 90.75	319 90	4,133 19	918 90	563 04	541 57	63 083	801733 75
	*80,28 94								8028,94
Road & canal do	*66		8,456 59				8,045 49	365 00	53,002 08
Interest on the		refunded							*66
3 per ct. fund,	1,101 50	4 50							1,106 00

Total amount of Receipts -242,165 49

*Constituent part of above sum, 44,115 10.

DISBURSEMENTS,

Out of each of the Funds during the two preceding years, ending the 30th of September, 1836, and charged to each fund respectively

FUNDS	First fiscal year.				Second fiscal year.				TOTAL	BALANCE
	Ist quar.	2d quar.	3d quar.	4th quar.	Ist quar.	2d quar.	3d quar.	4th quar.		
Revenue Fund,	2672264 66	479,89 94	11,630 92	9094 74	16,513 28	9,615 85	611 37	7,535 12	136,013 57.25	33,159 78.75
Seminary do.			18 25		84 54				187 03	2,650 08.25
Saline do.	84 24	95,68 75							95,68 75	15,950 59
Road & Canal do.			4,705 90	2109 78	1,209 31	117 21	2,473 47	14789 98	25,485 65	27,517 09
Interest on 3 pr. ct	106								106	1,000
Total amount of expenditure,									161,887 94	80,277 55

The above sum of 10,000*in the first column of Revenue, and the 23,113,07 in the second column, were transferred from the Seminary Fund, to the revenue fund, by the Governor's warrants, issued according to law.

Exhibit No. 2, shows the sum expended out of each fund, and under each head of appropriation of the Revenue fund.

Exhibit No. 3 and 4, show the situation of each particular fund, separately considered.

No. 5, will show the amount of balance due to the several counties, of Road and Canal Fund.

EXHIBIT No. 2.

Disbursements out of the Seminary, Saline, interest on the three per centum, and Road and Canal funds, Also, out of the Revenue fund, and charged under the several heads of appropriations directed by law, during the two fiscal years, ending the 30th of September, 1836.

FUNDS	FIRST FISCAL YEAR.				SECOND FISCAL YEAR.				To't amt for 2 y's under each
	1st quarter	2d quarter	3d quarter	4th quarter	1st quarter	2d quarter	3d quarter	4th qua'r.	
Seminary Fund,	84 24		18 25		84 54				187 03
Saline, do		95 68 75							95 68 75
Interest on three per cent do	106								106
Road and Canal do			4,705 90	2,109 78	1,298 31	117 21	2,473 47	14,789 98	25,485 65
Appropriations of revenue,									
Jail and Penitentiary,	4,166 66 66		4,166 66 66						8,333 33 33
Civil officers of Government,	4,346 08	3,820	3,404 59	3,355 17	4,970 35	3,709 16	3,761 82	3,572 75	30,939 92
Contingent expenses of Treasury,	11 20	24 12	31 37 5	9	22 75	37 75	17 25	12	165 44 5
Same of Attorney General,	20 23	27 31	14 51	12 60	28 75	21 68	15	24 92	165
Executive Department,	394						278 40	2	674 40
Decisions of Supreme Court,	40 77	14 30	975				278 40	374 40	1,682 87
General Contingent Fund,	2,129 29	605 98	303 48 5	1,885 82	3,061 79	801 33	1,688 45	983 29	11,659 40 5
Contingent expenses Sen'e & H R.	48 62	3,024 38	229 20,	160	448		3 75	600	4,513 95
Pay of General Assembly	10336 27	32632 15	36						43,004 42
Contingent expense of A P Acc'ts	169 86	29	40 25	111 47 5	93 21	62 52	89 13	81 69	677 13
Contingent expense of Militia,	137 31	587 66	8	5 43	36	48 10	12	29	863 50
Same of Secretary of State,	275 94		268 10	217 81	321 30				1,083 15
County Revenue,	329 85	183 39	82 41	110	93 96		59 40		859 01
Assessing and collecting Revenue,	3,432 91	379 74	616 84	1,753 43 5	3,827 71	251 50	429 25	1,603 15	12,294 53 5
Expense of Loan Office,	18 43								18 43
Clerk hire of Aud'r Public Acc'ts	259 25	125	25	150	150	100 6			809 25
Public Printing,	357	300 46	294 65	1,299	3,301 13	4,007 7			9,550 00
Militia Officers,	48 97	200 33	50 60	25	134 33	33	36 93	50	579 16
Revising Laws,	200								200
Paid by Special acts of Assembly,	5,777 63	416 51		24	195 75	643 29			6 413 89
Copying Laws and Journals,	221 79	477 67							699 53
State Library,	36 70						369 99	127 14	533 83
Distributing Laws and Journals,						347	150	76 81	573 81

\$161 887 94

EXHIBIT No. 3.

The following statement will show the amount and relative situation of the several funds, as they stand on the books of the Treasurer.

OF THE SEMINARY FUND.

There was in the Treasury on the 1st of Oct. 1836, \$2,650 08.25

And there is due thereto the amount of the several sums borrowed by the Governor according to law, prior to 1st of October 1834, 23,903 75

To which may be added the amounts borrowed on the 1st of October, 1834, and the 21st of March, 1835, by like authority, 33,113 07

Which will make the total amount of funds, exclusive of the interest, \$59,666 90.25

OF THE SALINE FUND.

There was in the Treasury on the 1st of Oct. 1836, \$15,950 59

And there is due by the State for money borrowed by the Treasurer thereof, according to law, in the year 1833, the sum of 22,904 80

Which make the total amount of fund, exclusive of interest, \$38,885 39

INTEREST ON THREE PER CENT. FUND.

Of this fund there was in the Treasury on the 1st of October, the sum of \$1,101 50

This sum was refunded, because improperly drawn, 4 50

1,106 00

Out of which there has been paid, as stated in the preceding exhibit, in the first fiscal quarter of 1834 and 1835, 106 00

Which leaves a balance in the Treasury, as before stated of \$1,000 00

ROAD AND CANAL FUND.

On the 1st of October, 1834, as stated before, there was in the Treasury, 66

" 1st of May, 1835, received from the Branch bank, at St. Louis, 8,456 17

Refunded, because improperly charged, 42

" 26th April, 1836, received from the Commercial Agency, at St. Louis, 8,045 49

" 22d. August, do. do. same, 36,500 00

Total amount received during the two fiscal years, \$53,002 74
Deduct from the above the sums paid for transporta-

tion of funds from St. Louis, the Treasury, added to the several sums paid to the counties during said two fiscal years,

25,485 65

And there is left in the Treasury the sum \$27,517 09

Which sum is due, and has not been paid to the counties, because they have not applied for it.

The counties that have not been paid, will be shown in exhibit No. 5.

EXHIBIT No. 4.

OF THE REVENUE FUND.

There was in the Treasury on the 1st day of October, 1834, the sum of \$1,870 93

The receipts into the same, accruing from taxation, forfeitures, escheated estates, sales of town lots in the City of Jefferson, &c., during the last two fiscal years, amount to 134,189 36

Which, added to the amount borrowed by the Governor of the Seminary fund, on the 1st Oct. 1834, 10,000 00

And the amount borrowed by the same, of the same, on the 21st of March, 1835, 23,113 07

The aggregate of all receipts will be 169,173 36
From which last amount deduct the total sum expended out of said fund during the two fiscal years aforesaid, 136,013 57.25

And there remains (available) of this fund, the sum of \$33,159 78.75

THE STATE DEBT

Is made up of the amount borrowed by the Governor, agreeable to law, at different times, from the Seminary Fund, as stated in the foregoing statement, \$57,016 82

And the amount borrowed by Treasurer, by like authority, from the Saline Fund, (as before stated,) 12,904 80

Making the total amount of debt, exclusive of interest, \$79,921 62

EXHIBIT No. 5.

A statement, shewing the sums paid to the several counties out of the Road and Canal Fund received into the Treasury since the 1st day of October, 1834, the apportionments made to each, with the balances due to each county respectively, on the 1st of October, 1836.

Counties.	No. of shares.	Sums appropriated to each county out of 1st amount received in Treasury,	Sums appropriated to each county out of 2d am't received in Treasury.	Sums appropriated to each county out of 3d sum rec'd. in treasury	Total am't appropriated to each c'ty.
Boone	4	at 117.21 each 468.84	a 111.45	445.80	503 2012 2926.64
Callaway	3	" 351.63	"	334.35	" 1509 2194.98
Cole	2	" 234.42	"	222.90	" 1006 1463.32
Clay,	2	" 234.42	"	222.90	" 1006 1463.32
Clinton,	1	" 117.21	"	111.45	" 503 731.66
Carroll,	1	" 117.21	"	111.45	" 503 731.66
Chariton,	1	" 117.21	"	111.45	" 503 731.66
C. Girardeau,	3	" 351.63	"	334.35	" 1509 2194.98
Crawford,	1	" 117.21	"	111.45	" 503 731.66
Franklin,	2	" 234.42	"	222.90	" 1006 1463.32
Gasconade,	1	" 117.21	"	111.45	" 503 731.66
Greene,	1	" 117.21	"	111.45	" 503 731.66
Howard,	4	" 468.84	"	445.80	" 3012 2926.64
Jackson,	2	" 234.42	"	222.90	" 1006 1462.32
Jefferson,	1	" 117.21	"	111.45	" 503 731.66
Lafayette,	2	" 234.42	"	222.90	" 1006 1463.32
Lincoln,	2	" 234.42	"	222.90	" 1006 1463.32
Lewis,	1	" 117.21	"	111.45	" 503 731.66
Morgan,	1	" 117.21	"	111.45	" 503 731.66
Marion,	2	" 234.42	"	222.90	" 1006 1463.32
Montgom'ry	1	" 117.21	"	111.45	" 503 731.66
Monroe,	1	" 117.21	"	111.45	" 503 731.66
Madison,	1	" 117.21	"	111.45	" 503 731.66
N. Madrid,	1	" 117.21	"	111.45	" 503 731.66
Pettis,	1	" 117.21	"	111.45	" 503 731.66
Pike,	3	" 351.63	"	334.35	" 1509 2194.98
Pulaski,	1	" 117.21	"	111.45	" 509 731.66
Perry,	2	" 234.42	"	222.90	" 1006 1463.32
Ray,	1	" 117.21	"	111.45	" 503 731.66
Randolph,	2	" 234.42	"	222.90	" 1006 1463.32
Ralls,	1	" 117.21	"	111.45	" 503 731.66
Ripley,	1	" 117.21	"	111.45	" 503 731.66
Saline,	1	" 117.21	"	111.45	" 503 731.66
St. Louis,	6	" 703.26	"	668.70	" 3018 4389.96
St. Charles,	2	" 234.42	"	222.90	" 1006 1463.32
St Francois	1	" 117.21	"	111.45	" 503 731.66
S Genevieve	1	" 117.21	"	111.45	" 503 731.66
Scott,	1	" 117.21	"	111.45	" 503 731.66
Warren,	1	" 117.21	"	111.45	" 503 731.66
Washington	3	" 351.63	"	334.35	" 1509 1294.98
Wayne,	1	" 117.21	"	111.45	" 503 731.66
Cooper,	2	" 234.42	"	222.90	" 1006 1463.32

EXHIBIT No. 5—Continued.

Names of counties.	No of shares	Sums paid each co. out total appt' n before 1st Oct. 1836	Balances due each county on the 1st of Oct 1836.
Boone	4	914,64	*2012.
Callaway,	3	2194,98	none.
Cole,	2	447,48	*1015'84
Clay,	2	1653,32	
Clinton,	1	117,21	614.45
Carroll,	1	228,66	*503.
Chariton,	1	731,66	
Cape Girardeau,	3	351,63	*1,843.35
Crawford,	1	228,66	*503.
Franklin,	2	457,32	*1006.
Gasconade,	1	731,66	
Green,	1	117,21	*614.45
Howard,	4	2926,64	
Jackson,	2	234,42	*1228.90
Jefferson,	1	117,21	614.45
Lafayette,	2	234,42	*1228.90
Lincoln,	2	1463,32	
Lewis,	1	117,21	*614.45
Morgan,	1	228,66	*503.
Marion,	2	234,00	*1229.32 due 42 cts
Montgomery,	1	228,66	*503.
Monroe,	1	228,66	*503.
Madison,	1	117,21	*614.45
New Madrid,	1	117,21	111,45 614.45 due \$503
Pettis,	1	731,66	
Pike,	3	685,98	*1509.
Pulaski,	1	117,21	*614.45
Perry,	2	234,42	*1228,90
Ray,	1	228,66	503.
Randolph,	2	1463,32	
Ralls,	1	117,21	614.45
Ripley,	1	000,00	*731.66
Saline,	1	117,21	614.45
St. Louis,	6	4389,96	
St. Charles,	2	1462,33	
St. Francois,	1	000,00	731.66
Ste. Genevieve,	1	117,21	614.45
Scott,	1	117,21	614,45
Warren,	1	117,21	614.45
Washington	3	685,09	*1509.
Wayne,	1	117,21	614.45
Cooper,	2	457,32	1006.

*This mark shows the counties paid since 1st October, 1836.

The Treasurer would here remark, that the law authorising him to borrow the above sum of \$22,904 80, did not direct him or the Auditor to charge the state with the interest thereon.

It will be seen by the foregoing statement, (ps. 71 and 72,) that the revenue received does not amount to the revenue expended by the sum of \$1824 21 $\frac{1}{4}$, and the amount of revenue received as stated above is not derived from taxation alone, but is composed of escheats, forfeitures, and the sale of town lots in the city of Jefferson, which, taken together, amount to about \$3480, for the two last fiscal years, and consequently; that the true amount of revenue proper, should be estimated at \$130,709 36, in making calculations of revenue received in the two next fiscal years.

The undersigned has lately received from the Treasurer of the United States, two drafts on the Commercial Agency at St Louis, for the road and canal fund, due the state for sales of public lands within the State, for the 2d and 3d quarter of the present year 1836, amounting to 31,500 dollars, and most respectfully suggests the propriety of the legislature passing a resolution directing the Treasurer to deliver over to the agent of said agency, the aforesaid drafts, and take from him a certificate of deposit for the same, and to authorize said Treasurer to draw orders on said agency in favor of the counties respectively, for the several amounts that may be apportioned to each out of said amount.

I have the honor to be,

the General Assembly's obedient serv't,

JOHN WALKER, *Treasurer.*

On motion,
The Senate adjourned.

TUESDAY, DECEMBER 6, 1836.

THE Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There has been introduced into the House of Representatives bills, entitled

A bill providing for the pay of James B. Bowlin, for services rendered the state.

A bill to authorize the state Treasurer to receive the surplus revenue.

A bill amendatory of an act entitled "an act concerning slaves." Approved March 17, 1835.

A bill to incorporate the South Saint Louis Steam Ferry Company.

A bill to incorporate the Central Fire Company of St. Louis.

A bill to provide that an act, entitled "an act to provide for the sale of township school lands, in Saline and other counties," be made applicable to Lafayette and other counties.

A bill supplementary to act entitled "an act concerning evidence."

A bill supplementary, to an act, entitled "an act regulating executions."—And

A proposition to amend the constitution by repealing the eighth article.

The House has passed bills, entitled

"An act for the relief of Edwin Swink."

"An act for the relief of E. McAlexander."

"An act regulating the proceedings on writs of *mandamus*."

Which are herewith submitted, for the concurrence of the Senate.

The House has concurred in the amendment of the Senate, to the bill which originated in the house, entitled,

An act for the relief of the collectors for the year 1836.

The house has concurred in the passage of bills, from the Senate, entitled,

"An act for the relief of J. N. Henderson, collector of Cape Girardeau county."

"An act for the relief of Andrew Jamison and James H. Relph."

"An act to provide for the organization of counties, hereafter established," with an amendment to the last mentioned bill, in which the concurrence of the Senate is requested.

Mr. Jones of Pike, from the committee on agriculture, reported.

A bill for the encouragement of Agriculture.

Which was read a first time, and passed to a second reading.

A bill to fix the compensation of Justices of the County Courts, and their fees, was read a second time, and

Committed to a committee of the Whole House.

An engrossed bill, from the House of Representatives, to change the names of certain children therein named, and for other purposes,

Was read a second time and passed to a third reading.

An engrossed bill, from the House of Representatives, to incorporate the Marine Insurance Company of St. Louis,

—Was read a second time and committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, to incorporate the Trustees of the Richmond Academy.

Was read a third time and passed.

An engrossed memorial to Congress on the subject of the public lands,

Was read a third time and laid on the table.

The amendment made by the House of Representatives, to the bill from the Senate, for the organization of counties hereafter established.

Was concurred in by the Senate.

Engrossed bills, from the House of Representatives, entitled
 "An act for the relief of Edwin Swink."

"An act regulating proceedings on writs of *mandamus*."

"An act for the relief of E. McAlexander,"

Were severally read a first time and passed to a second reading.
 Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House has this day passed a bill entitled
 An act to appropriate certain monies due Benjamin Lawhead, for
 printing.

Which is herewith submitted for the concurrence of the Senate.

On motion of Mr. Goforth,

The Senate resolved itself into a committee of the Whole House,
 Mr. Goforth in the chair, and after some time spent therein, the com-
 mittee rose and the chairman reported, that the committee had con-
 sidered a bill to charter the Missouri City University, had made some
 progress in the consideration of said bill, and asked leave to sit again,

Which was granted.

An engrossed bill from the House of Representatives, to appropri-
 ate certain monies due Benjamin Lawhead for printing,

Was read a first time—and,

On motion,

The rule requiring bills to be read on three several days, being dis-
 pensed with, the bill was read a second time—and,

Referred to the committee on Claims.

On motion of Mr. Jones of Cooper,

Leave of absence was granted to Mr. Sterigere.

On motion of Mr. Campbell,

Leave of absence was granted to Mr. Vanarsdall.

Mr. Ashby from the select committee, to which was referred a pe-
 tition of a number of the inhabitants of the counties of Carroll and
 Chariton, reported,

A bill to organize the county of Orange,

Which was read a first time—and,

The rule requiring bills to be read on three several days, was dis-
 pensed with, the bill was read a second time, and

Committed to a committee of the Whole House.

Mr. Goforth from the committee on Claims, made the following re-
 port:

The committee to whom was referred, the bill appropriating cer-
 tain monies due Benjamin Lawhead, have had the same under con-
 sideration, and have instructed me to report:

That by an examination of the documents referred to them, they
 find a statement of the Secretary of State, that he had examined the
 work done by Mr. Lawhead page by page, and found that it amount-
 ed to the sum of \$8,491 70, of which amount there had been paid,
 \$6,007 70, leaving a balance of \$2,483 94 for the payment of

which, there was no money appropriated; the appropriations for that work being exhausted. Having been deprived of the use of this money, stipulated to be paid by contract, he claims and your committee deem it just, that he should receive interest thereon, from the time he presented his accounts to the proper officer and demanded payment.

An order having been given to the collector of St. Louis county, James Conway, and not having been paid by the state, in consequence of which Conway claimed and exacted the sum of fifty dollars for his time and expenses in travelling from the city of St. Louis to the City of Jefferson and returning, which your committee think the state should pay.

The committee therefore recommend the passage of the bill from the House, without amendment.

On motion of Mr. Robison,

The rule requiring bills to be read on three several days was dispensed with—and,

The bill appropriating certain monies due Benjamin Lawhead, Was read a third time and passed.

On motion of Mr. Jones of Cooper,

The Senate resolved itself into a committee of the Whole House Mr. Jones in the chair, and after some time spent therein the committee rose, and the chairman reported, that the committee had considered,

A bill to charter the Missouri City University—and,

A bill to incorporate the Marine Insurance Company of St. Louis.

The first named of which he reported with amendments, and the other with an amendment.

The Senate agreed to the report of the committee.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 7, 1836.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on enrolled bills reported,

That the committee had examined and found truly enrolled, bills entitled:

“An act to appropriate certain monies due Benjamin Lawhead for printing.” And,

“An an act for the relief of collectors for the year 1836.”

Mr. Gorham from the select committee to which was referred, a petition of a number of the inhabitants of the attached part of Randolph county, reported,

“A bill to organize the county of Macon.”

K

Which was read a first time and passed to a second reading.

Mr. Gorham was added to the committee on Enrolled Bills.

An engrossed bill from the House of Representatives for the relief of E. McAlexander,

Was read a second time, and

Referred to a committee of the Whole House.

An engrossed bill from the House of Representatives for the relief of Edward Swink,

Was read a second time, and,

Referred to the committee on Claims.

A bill providing for the encouragement of Agriculture,

Was read a second time, and

Committed to a committee of the Whole House—and,

An engrossed bill from the House of Representatives to change the names of certain children therein named, and for other purposes,

Was read a third time and passed.

An engrossed bill from the House of Representatives to incorporate the Marine Insurance company of St. Louis,

Was read a third time and passed.

A memorial to Congress on the subject of the public lands,

Was taken up, and

Recommitted to a committee of the Whole House.

A bill to charter the Missouri City University

Was taken up, and,

Ordered to be engrossed, with the amendments made in the committee of the Whole,—and,

It passed to a third reading.

Mr. President signed bills entitled,

“An act to appropriate certain monies due Benjamin Lawhead for printing”—and,

“An act for the relief of collectors for the year 1836.”

Said bills had been previously signed by the Speaker of the House of Representatives, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House have this day passed a bill, entitled, “An act regulating the appointment of collector for St. Louis county.”

Which is herewith submitted for the concurrence of the Senate.

On motion of Mr. Jones of Pike,

The Senate resolved itself into a committee of the Whole House Mr. Campbell in the chair, and after some spent therein, the committee rose, and the chairman reported, that the committee had considered,

1st. A memorial to Congress on the subject of pre-emptions, to the settlers on the public lands.

2nd. A bill to charter the Missouri Iron Company.

3rd. An act to regulate the apportionment of the Road and Canal Fund.

4th. A bill to fix the compensation of Justices of the County Courts and their fees.

5th. A bill for the encouragement of Agriculture.

Each of which he reported with amendments—and,

6th. An act for the relief of E. McAlexander,

Which he reported that the committee recommended to the Senate, to refer to the committee on Claims.

The Senate agreed to the report of the committee in relation to the first mentioned memorial, and to the third, fourth, fifth and sixth mentioned bills, and,

Referred the last mentioned bill to the committee on Claims.

The report of the committee in relation to the second,

Was laid on the table.

The memorial mentioned first, and the bills mentioned third, fourth and fifth, in the report,

Were severally ordered to be engrossed, and they and the bills passed to a third reading.

Mr. Montgomery from the joint committee, on Enrolled Bills reported,

That the committee had presented to the Governor for his approval,

“An act to appropriate certain monies due Benjamin Lawhead for printing”—and,

“An act for the relief of collectors for the year 1836.”

Mr. President laid before the Senate the following communication.

CITY OF JEFFERSON, December 7th, 1836.

To the Honorable, the General Assembly,

of the State of Missouri:

GENTLEMEN:—The undersigned Electors of President and Vice President of the United States, from the first, second, and fourth districts of the State of Missouri, have the honor of representing to you, now in session, that our colleague, Wm. Monroe, Esq. elected from the third district of the State, has not appeared, at the time and place prescribed by law, for the meeting of Electors to give their votes.

This information is communicated to you, that you may adopt such means as may be necessary and proper.

Respectfully your obt's.

GEORGE F. BOLLINGER,
ABRAHAM BIRD,
JOHN SAPPINGTON,

Mr. Ashby moved

That the House of Representatives be informed that the above communication has been made to the Senate.

Which was agreed to.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives have adopted the following resolution:

Resolved, That the Senate be informed that the House of Representatives is now ready to meet the Senate, in the hall of the House of Representatives, for the purpose of electing an elector, of President and Vice President, of the United States, to supply the place of William Monroe, Esq. one of the electors who is absent, and that the seats on the right of the Speaker's chair, are set apart for their accommodation. And also, to elect a Warden of the Penitentiary.

Mr. Lucas offered the following:

Resolved, (The House of Representatives concurring therein,) that the Senate and House of Representatives, will meet in the chamber of the House of Representatives, on Monday next, at 11 o'clock A. M. then and there to elect a Warden of the Penitentiary.

Mr. Jones of Cooper, moved

To amend the resolution, by striking out all after the word "resolved," and inserting that the House of Representatives be informed that the Senate is now ready to go into the election of an elector—but, the Senate is not prepared to go into the election of a Warden of the Penitentiary.

Which was agreed to, and

The resolution adopted.

On motion of Mr. Ashby,

The Senate repaired to the Hall of the House of Representatives, for the purpose aforesaid, and the President of the Senate took the chair.

Mr. Valle nominated Mr. Horner of Howard.

Mr. Price nominated Mr. McClelland of Jackson.

To fill the aforesaid vacancy.

Whereupon, the vote was taken and there appeared,

For Mr. Horner, fifty-nine votes.

For Mr. McClelland, thirty-four votes.

Mr. President declared Mr. Horner to be elected, elector of President and Vice President, of the United States.

After which, the two Houses separated, and the Senate retired to its chamber.

Mr. Campbell from the committee on Civil Judicature, to whom was referred a petition of Andrew Ramsey, together with accompanying documents, submitted the following report—

The committee on Civil Judicature report, that they have carefully examined a mass of papers, referred to them respecting the claim of

Andrew Ramsey and others, for making a road across the big swamp in the counties of Scott and Cape Girardeau, and after a full consideration of the business, they believe, that justice would be done to the contractors and to the state, by the passage of a bill, which is herewith submitted. This business has been involved in great difficulty, in consequence of the frequent appointments and resignations of different sets of commissioners, and has been a source of great vexation, expense and delay, to the contractors and to the state. The commissioners directed to be appointed, to examine said road, under an act passed at the last session of the Legislature, appear not to have been appointed at so early a date, as required by that act. And some doubt exist, under the law, whether one of the commissioners, authorized to act in this matter, has acted and concurred in the report upon the road; but the committee are satisfied, that the state ought not to do injustice to the contractors, in consequence of causes merely technical, or in consequence of a failure of the county court, or other officers of government, to carry the law into effect. From the report of the four commissioners appointed in May, and also, of the five commissioners, afterwards appointed, it satisfactorily appears, that the contractors, have fulfilled their contract, and are entitled to their pay.

The report, of said two sets of commissioners, is supported by a number of certificates and depositions, found among papers referred to the committee.

The passage of the bill would close a transaction, that has long harassed the contractors, and perplexed the Legislature.

A bill for the relief of Andrew Ramsey,

Was read a first time—and

The rule requiring bills to be read on three several days, being dispensed with, the bill was read a second time, and

Ordered to be engrossed, and

It passed to a third reading, and was made

The order of the day for to-morrow.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 8, 1836.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on enrolled bills, reported that the committee had examined and found truly enrolled, bills entitled

“An act for the relief of J. N. Henderson, collector of Cape Girardeau county—and

“An act for the relief of Andrew Jamison and James H. Relph.

An engrossed bill from the House of Representatives,

To regulate proceedings on writs of *mandamus*,—and

A bill to organize the county of Macon,

Were severally read a second time, and

Committed to a committee of the Whole House.

Mr. Jones of Cooper, from the committee on engrossed bills, reported, as truly engrossed,

A bill to fix the compensation of justices of the county courts and their fees.

An act to pay Andrew Ramsey.

A memorial to Congress, on the subject of granting pre-emption rights to settlers on the public lands.

A bill providing for the encouragement of agriculture. And

Amendments to a bill from the House of Representatives, providing for the distribution of the Road and Canal Fund.

An engrossed bill, entitled

An act to pay Andrew Ramsey,

Was read a third time.

The question, shall the bill pass?

Mr. Byrd called for the ayes and nays,

Which were as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Montgomery, Rawlins, Robison, Valle, Walsh and Williams—18.

Nays—Messrs. Byrd and Weaver—2.

Mr. Smith absent, sick.

Messrs. Vanarsdall and Sterigere, absent with leave.

The bill passed.

Ordered that the title thereof be

“An act” &c. as above.

An engrossed bill to fix the compensation of justices of the county courts and their fees,

Was read a third time and passed.

Ordered that the title be

“An act” &c. as above

An engrossed bill, from the House of Representatives, to regulate the apportionment of the road and canal fund,

Was read a third time and laid on the table.

A message from the House of Representatives by Mr. Hickum, their engrossing clerk.

MR. PRESIDENT—The House of Representatives have passed bills of the following titles, viz.

An act declaring certain county roads, a part of the state road.

An act to declare the assent of this state to the extension of the western boundary.

An act to provide for the pay of James B. Bowlin for services rendered the state.

A resolution appropriating money for Lewis Franklin and others.
All of which are herewith submitted for the concurrence of the Senate.

An engrossed memorial to Congress, on the subject of granting pre-emption rights to settlers on the public lands, and

An engrossed bill for the encouragement of agriculture.

Were severally read a third time, and the memorial passed, and The bill was laid on the table.

On motion of Mr. Robison,

The report of the committee of the Whole, in relation to the bill to charter the Missouri Iron Company,

Was taken up, and

He moved to amend the bill as follows:

Strike out of the sixth line of the preamble, the word "forever," and insert in the sixteenth line, after the word "company," *for term of* _____ *years.*

In the eighth line of the second section, after the word "election," insert *in some paper printed in this state.*

In the eighth line of the eighth section, after the words "paid in interest," insert *at the option of the directory.*

In the ninth line of the fourteenth section, after the word "university," insert *until.*

And, in the ninth and tenth lines, strike out, "and thus, and forever should."

And, in the tenth line, strike out "never be," and insert in lieu thereof *shall be.*

In the tenth and eleventh, strike out "*But if at any time, thus legally called for,*" and insert in lieu thereof, *When.*

Mr. Ashby moved,

To amend the report as amended, by striking out of the twentieth line of the first section, the words, "or business."

Mr. Jones of Pike, moved

To fill the blank in the sixteenth line, as proposed to be amended, by Mr. Robison, with *fifty years.*

All of which amendments were agreed to.

The question on ordering the bill to be engrossed and read a third time,

Was then put, and decided in the affirmative.

Mr. Ashby moved,

To recur to the order of business, viz

Propositions and motions.

Which was agreed to;—and he offered the following:

Resolved, That the rules adopted for the government of the Senate, during the present session, be so amended, as to permit bills to be amended on the third reading, by way of ryder.

Which was adopted.

On motion of Mr. Ashby.

Messrs. Lucas and Jones of Cooper, were added to the committee on Internal Improvements.

Mr. Montgomery from the joint committee, on enrolled bills, reported that the committee had examined and found truly enrolled, a bill entitled,

An act to provide for organizing new counties; hereafter established.

An engrossed resolution, from the House of Representatives, relating to Lewis Franklin and others—and

Engrossed bills from the House of Representatives, entitled

An act to declare the assent of this state to the extension of the western boundary.

An act providing for the pay of James B. Bowlin, for services rendered the state.

An act declaring certain county roads a part of the state road.

And an act regulating the appointment of collector for St. Louis county,

Were read a first time, and

Were severally ordered to a second reading.

Mr. Jones of Cooper, from the committee on engrossed bills, reported, as truly engrossed,

A bill to charter the Missouri city University.

An engrossed bill to provide for the encouragement of agriculture,

Was taken up and passed.

Ordered that the title thereof be

“An act,” &c. as above.

A bill to charter the Missouri City University,

Was read a third time.

Mr. Montgomery moved,

To amend the bill by way of ryder—to strike out the seventeenth section.

Which was rejected.

Mr. Weaver moved

To amend the bill, by way of ryder—to strike out in the thirty-fifth line, in the sixteenth section, the words “judicious within the western limits of the United States,” and insert *common schools of Missouri*.

The ryder was read a first and second time, and ordered to be engrossed, and

Was read a third time, and

The bill together with the ryder passed.

Ordered that the title be

“An act,” &c. as above.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 9, 1836.

THE Senate met pursuant to adjournment.

Mr. Lee from the committee on the seat of government, submitted the following report.

The committee on the Seat of Government, to whom was referred a petition of H. H. Colgen, have had the same under consideration, and have directed me to report that they believe the prayer thereof ought not to be granted. Also

The same committee, to whom was referred a petition of James A. Crump and others, have directed me to report a bill which is herewith submitted.

A bill to authorize James A. Crump and others, to keep a ferry at the city of Jefferson.

Was read a first time and passed to a second reading.

Mr. Jones of Cooper, from the committee on engrossed bills, reported as truly engrossed,

A bill to charter the Missouri Iron Company.

On motion of Mr. Ashby,

The committee of the Whole House, was discharged from the further consideration of Bills for the organization of new counties, and they were,

Referred to a select committee of Messrs. Ashby, McDaniel, Gorham and Weaver.

A message from the House of Representatives by Mr. McCulloch, Enrolling Clerk thereof.

MR. PRESIDENT—The House of Representatives, on the 7th inst., indefinitely postponed.

“A bill supplemental to an act concerning contracts and promises.

The house have disagreed to the amendment made by the Senate, to the bill which originated in the House, entitled,

“An act to incorporate the Marine Insurance Company of St. Louis.”

The bill and amendments are herewith returned for the re-consideration of the Senate.

The speaker of the House of Representatives has signed bills entitled,

“An act to provide for the organization of counties hereafter established.”

“An act for the relief of J. N. Henderson collector of Cape Girardeau county.”

“An act for the relief of Andrew Jamison and James H. Relph.”

All of which are herewith submitted for your signature.

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Mr. President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval.

Engrossed bills from the House of Representatives entitled,
An act regulating the appointment of collector for St. Louis county.

An act providing for the pay of James B. Bowlin, for services rendered the State,

Were severally read a second time and passed to a third reading.

Engrossed bills from the House of Representatives, entitled,
An act to declare the assent of this State to the extension of the western boundary.

An act declaring certain county roads a part of the state road.

A resolution reported by the committee to whom was referred the petition of Lewis Franklin and others,

Were severally read a second time, and

Committed to a committee of the Whole House.

An engrossed bill to charter the Missouri Iron Company,

Was read a second time and passed.

Ordered, That the title thereof be

"An act" &c. as above.

The Senate proceeded to reconsider the amendments made by them to the bill, to incorporate the Marine Insurance Company of St. Louis.

The question was, shall the Senate recede from their amendments?

Which was decided in the negative.

On motion of Mr. Campbell,

The Senate resolved itself into a committee of the Whole House, Mr. Robison in the chair, and after some time spent therein the committee rose, and the chairman reported,

That the committee had considered,

A bill regulating proceedings on writs of *mandamus*—and,

A memorial to Congress on the Public Lands,

And had instructed him to report each without amendment,

On motion,

The bill regulating proceedings on writs of *mandamus*,

Was laid on the table.

Mr. Robison moved

To amend the amendment, by striking out of it the words "any company," where they first occur.

Mr. Weaver moved,

To amend the memorial by striking out the words "or company" in the next line, which was accepted by Mr. Robison, and the amendment agreed to—and,

On motion of Mr. Robison,

The memorial was laid on the table.

Mr. Ashby offered a joint resolution to allow collectors six and one fourth cents for each hundred words, for making out their ab-

stracts, which they return to the Auditor of Public Accounts.

Which was read a first time and passed to a second reading.

Mr. Montgomery from the joint committee on Enrolled Bills reported,

That the committee had presented to the Governor, for his approval, bills of the following titles, to wit:

“An act for the relief of J. N. Henderson, collector of Cape Girardeau county.”

“An act for the relief of Andrew Jamison and James H. Relph.”—and,

“An act to provide for organizing new counties hereafter established.”

On motion of Mr. Jones of Pike,

The Senate resolved itself into a committee of the Whole House, Mr. Jones of Pike in the chair, and after some time spent therein, the committee rose, and the chairman reported,

That the committee had considered,

“A resolution reported by the committee to whom was referred a petition of Lewis Franklin and others—and,

“A bill to declare the assent of this State to the extension of the Western Boundary.”

And had instructed him to report, both the resolution and bill without amendment.

The Senate agreed to the report, and the resolution and bill were severally,

Ordered to a third reading.

On motion of Mr. Jones of Pike,

The report of the committee of the Whole in relation to a bill, to incorporate the Upper Mississippi Insurance Company,

Was taken up,

And considered by the Senate—and,

On his motion, the report of the committee of the Whole,

Was disagreed to,

The question shall the bill be engrossed and read a third time,

Was decided in the affirmative.

Mr. Ashby gave notice, that on Monday next he would ask leave to introduce,

“A bill to give a premium for wolf scalps.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 10, 1836.

THE Senate met pursuant to adjournment.

On motion of Mr. Ashby,

A call of the House was ordered—and

Messrs. Ashby, Byrd, Campbell, Goforth, Gorham, Jones of Cooper, Jones of Pike, McClelland, Montgomery, Smith and Walsh, answered to their names.

Mr. Thompson absent sick.

Messrs Vanarsdall and Sterigere, absent with leave.

Messrs. Dawson, Deguire, Lee, Lucas, Rawlins, Robison, Valle, Weaver, and Williams, absent.

Whereupon, there not being a quorum present, Mr. President directed the Door Keeper to request the attendance of the absent members,

Which was done.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of retentatives bills entitled,

“A bill to divorce Wade Lepscomb and Elizabeth his wife.”

“A bill for the relief of Ammon Knighton”—and,

“A resolution for the relief of James Arnold.”

The Speaker of the House has signed an enrolled bill, entitled,

“An act to incorporate the Richmond Academy.”

Which is herewith submitted for your signature.

Mr. President signed said bill and it was delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval.

Mr. Lucas gave notice, that he would on Wednesday next, ask leave to introduce a bill to amend

“An act establishing inspectors of tobacco.”

A joint resolution to allow collectors six and one fourth cents, for every hundred words in making out the abstracts, which they return to the Auditor of Public Accounts,

Was read a second time, and

Was ordered to be engrossed and read a third time on Monday next.

A bill entitled an act to authorize James A. Crump and others, to keep a ferry at the City of Jefferson,

Was read a second time, and,

On motion of Mr. Ashby,

Committed to a committee of the Whole House.

Mr. Jones of Cooper, from the committee on Engrossed Bills reported, as truly engrossed,

A bill to incorporate the Upper Mississippi Insurance Company,

Which was read a third time and passed,

Ordered, That the title of the bill be,

“An act” &c. as above.

Mr. Montgomery from the joint committee on Enrolled Bills, submitted the following report:

The joint committee on Enrolled Bills have presented to the Gov-

ernor for his approval,

“An act to incorporate the Trustees of the Richmond Academy.”

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into and passed in the House of Representative a bill entitled,

“An act appropriating monies for defraying the expenses of government.”

Which is herewith submitted for the concurrence of the Senate.

An engrossed bill from the House of Representatives, entitled,
“An act appropriating money for defraying the expenses of government,”

Was read a first time and passed to a second reading.

An engrossed bill from the House of Representatives to pay James B. Bowlin, for services rendered the State,

Was read a third time.

Mr. Smith moved

To amend the bill by way of ryder, by striking out the preamble.

The ryder was read a first and second time—and,

On motion of Mr. Ashby,

Was considered as engrossed, and

Was read a third time—and,

The bill together with the ryder passed.

An engrossed bill from the House of Representatives to regulate the appointment of collector of St. Louis county,

Was read a third time—and,

On motion of Mr. Ashby,

Was laid on the table.

An engrossed joint resolution from the House of Representatives, appropriating money to Lewis Franklin and others,

Was read a third time and passed.

On motion of Mr. Jones of Cooper,

The Senate resolved itself into a committee of the Whole House, Mr. Byrd in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had considered,

A bill declaring certain roads a part of the state road, and

A bill to declare the assent of this state to the extension of the western boundary, and

Had instructed him to report each without amendment. Also,

A bill to authorize James A. Crump and others to keep a ferry at the City of Jefferson,

He was instructed to report, that the committee had made some progress in the consideration of the last mentioned bill,

And asked leave to sit again thereon.

Which was granted by the Senate.

The Senate then agreed to the report of the committee of the

Whole House, and

A bill to declare the assent of this state to the extension of the western boundary,

Was ordered to a third reading.

A bill declaring certain county roads a part of the state road,

Was laid on the table.

An engrossed bill from the House of Representatives, to regulate the appointment of collector for St. Louis county, was

On motion of Mr. Ashby,

Taken up and passed.

On motion,

The Senate adjourned until Monday morning.

MONDAY, DECEMBER 12, 1836.

THE Senate met pursuant to adjournment.

Mr. Lee presented a petition of the Mayor and board of Aldermen, of the city of St. Louis, proposing sundry amendments to the charter of the city of St. Louis. Also

A memorial of the same, praying the alteration of an act, approved March 18, 1835, providing for the sale of the commons of the said city of St. Louis—both of which

Were referred to the committee on Civil Judicature.

Mr. Vanarsdall appeared and took his seat.

Mr. Vanarsdall presented a petition of Ezra Fox, which

On his motion,

Was referred to a select committee.

Messrs. Vanarsdall, Lucas and McDaniel, were appointed that committee,

Mr. Goforth from the committee on Claims, to whom was referred a bill for the relief of Edwin Swink, reported, that the committee have had the same under consideration, and had instructed him to submit the following:

This appears to be a claim of the clerk of the county court of Pulaski county, for money expended in transmitting the poll book of a general election in said county, in August last, to the city of Jefferson.

The facts appear to be these, that at the time, there was no mail from that county to this place, in consequence of which the clerk hired an individual, to whom he paid the sum of eight dollars and twenty-five cents, being the amount asked for, in the bill. Your committee think it but just and reasonable, that the money should be refunded.

They, therefore, recommend the passage of the bill.

Mr. Jones of Cooper, from the committee on engrossed bills reported, as truly engrossed, a joint resolution,

Allowing collectors 64 cents for certain services.

An engrossed bill from the House of Representatives for the relief of Edwin Swink,

Was read a second time and ordered to a third reading.

Mr. Weaver from the committee to whom was referred a petition of sundry citizens of Murray county, Tennessee, reported,

A bill for the relief of the heirs of Finis W. Shannon, dec'd., and the guardians of said heirs.

Which was read a first time and passed to a second reading.

An engrossed joint resolution to allow collectors six and one fourth cents, for making out the abstracts, which they are required by law to return to the Auditor of public accounts,

Was read a third time and passed.

Mr. Lucas, pursuant to notice, asked and obtained leave, to introduce

A bill to regulate inspectors of Tobacco,

Which was read a first time and

Ordered to a second reading.

Mr. Ashby asked and obtained leave to introduce,

A bill for the destruction of Wolves.

Which was read a first time and ordered to a second reading.

Mr. Montgomery, from the committee on enrolled bills, reported as truly enrolled, bills entitled,

"An act to provide for the collection of the revenue of the county of St. Louis."

"An act to provide for the pay of James B. Bowlin."

"An act to change the names of certain children, therein named and for other purposes," and

"A joint resolution appropriating money to Jarard Long and others,"

An engrossed bill from the House of Representatives to appropriate money to defray the expenses of government was read a second time, and

On motion of Mr. Campbell,

Was committed to a committee of the Whole House.

On motion of Mr. Weaver,

"A bill to regulate the apportionment of the Road and Canal Fund, was taken up, and

On motion of Mr. Smith,

The bill, together with the amendment,

Was laid on the table.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives, bills entitled

"A bill to refund fines and forfeitures in certain cases."

"A bill to incorporate the Medical Society of St. Louis."

"A bill for surveying and marking out a state road, from Rich-

mond, by Plattsburg to the western boundary."

"A bill supplementary to an act concerning patrols."

The House has passed bills, entitled,"

"An act to organize the county of Audrian,"

"An act to survey and mark out the northern boundary of the state."

"An act to provide that an act entitled, 'an act for the sale of township school lands in Saline and other counties, be made applicable to Lafayette and other counties.'"

"An act to incorporate the Central Fire Company of St. Louis."

"An act to organize the county of Clark."

"An act for the relief of John T. Cleveland."

"An act amendatory to an act concerning slaves, 'approved, March 19, 1835,' and

"A resolution to authorize the Auditor to draw his warrant in favor of James Arnold, for fourteen dollars and four cents,

All of which are herewith presented for the concurrence of the Senate.

The House have agreed to the amendment made by the Senate, to the bill, which originated in the house, entitled,

"An act to pay James B. Bowlin, for services rendered the state," and,

"A joint resolution authorizing the Warden of the Penitentiary, to employ an overseer and guard,

All which are herewith submitted.

Engrossed bills from the House of Representatives, entitled,

"An act to provide that an act entitled, 'an act to provide for the sale of township school lands in Saline and other counties,' be made applicable to Lafayette and other counties.

"A bill to survey the north boundary of the state."

"An act for the relief of John T. Cleveland."

"A bill amendatory to 'an act concerning slaves,' approved, March 19, 1835.

"A resolution to authorize the Auditor to draw his warrant in favor of James Arnold, for fourteen dollars and four cents."

"A joint resolution to authorize the Warden of the Penitentiary to employ an overseer and a guard," and,

"A bill to organize the county of Audrain, and,

"A bill to organize the county of Clark,"

Were severally read a first time, and

Ordered to a second reading.

An engrossed bill from the House of Representatives, to incorporate the Central Fire Company of St. Louis,

Was read a first time.

Mr. Smith moved to reject the bill, on its first reading.

The question—shall the bill be rejected?

Was decided in the negative, as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Montgomery, Rawlins, and Smith—6.

Nays—Messrs. Campbell, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, Lucas, McDaniel, Thompson, Valle, Vanarsdall, Walsh and Williams—13.

The bill was ordered to a second reading.

Mr. Vanarsdall moved,

That the rule requiring bills to be read on three several days, be dispensed with, and,

The resolution from the House of Representatives, authorizing the Warden of the Penitentiary, to employ an overseer and guard be read a second time,

Which was agreed to,

Two thirds voting to dispense with the rule, and

The resolution was read a second time.

On motion of Mr. Vanarsdall,

The rule was again dispensed with, and

The resolution read a third time.

Mr. Jones moved,

To amend the resolution, by way of ryder, by striking out "five," as the number of the guard, and inserting "four,"

The rule being dispensed with,

The ryder was read a second time, and

Ordered to be engrossed, and the engrossed ryder was read a third time.

Mr. Ashby moved,

To amend, by way of ryder, by adding to the first section, "A term of time, not to exceed two months,"

Which was read a first and second time, and,

On motion of Mr. Ashby,

Was considered as engrossed, and was read a third time, and

The resolution together with the ryders, passed.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The Speaker of the House of Representatives has this day signed enrolled bills entitled,

"An act to provide for the collection of the revenue in the county of St. Louis."

"An act to change the names of certain children therein named, and for other purposes."

"An act providing for the pay of James B. Bowlin, for services rendered the state,"—and,

"A joint resolution appropriating money for Garard Long and others."

Which are herewith submitted for the signature of the President.

The President signed said bills, and they were delivered to the

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committee on Enrolled Bills, to be presented to the Governor for his approval.

Mr. Thompson gave notice, that he would on to-morrow, ask leave to introduce,

"A bill to establish an Academy in the town of Liberty, Missouri."

Mr. Montgomery from the committee on Enrolled Bills reported,

That the joint committee on Enrolled Bills had presented to the Governor for his approval, bills entitled.

"An act to change the names of certain children therein named, and for other purposes."

"An act to provide for the pay of James B. Bowlín, for services rendered the State." And,

"A joint resolution appropriating money to Garard Long and others."

Mr. Campbell obtained leave and introduced,

"A bill to incorporate the St. Charles Turnpike Company.

Which was read a first time, and

Was ordered to a second reading.

Mr. President laid before the Senate, the following communication from the Executive:

EXECUTIVE DEPARTMENT,
December 9: 1836

To the Honorable, the Senate of Missouri:

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

"An act for the relief of J. N. Henderson, collector of Cape Girardeau county."

"An act to provide for the organization of counties, hereafter established." And,

"An act for the relief of Andrew Jamison and James H. Relph."

I have the honor to be,

With great respect,

Your obedient serv't.

LILBURN W. BOGGS.

The President also laid before the Senate a communication from the Secretary of State, containing an abstract of the census of the several counties of the State of Missouri, taken in the year 1836.

The reading of which was dispensed with, and

It was ordered to be printed,

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 13, 1836.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the committee on Enrolled Bills, reported as truly enrolled,

“An act to incorporate the Marine Insurance Company of St. Louis.”

Mr. Vanarsdall from the select committee, to whom was referred the petition of E. Fox, reported,

“A bill for the relief of Ezra Fox.”

Which was read a first time, and passed to a second reading.

On motion of Mr. Vanarsdall,

The rule requiring bills to be read on three several days being dispensed with,

The aforesaid bill was read a second time, and

Ordered to be engrossed and read a third time on to-morrow.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives bills entitled.

“A bill supplementary to the several laws establishing justices courts, and defining the powers and duties of Justices and Constables.”

“Amendments to the tenth section of the third article of the constitution, in relation to the qualification of Electors.”

The House have passed bills entitled,

“An act for the relief of Ammon Knighton,”—and,

“An act to divorce Wade Lipscomb, and Elizabeth Permelia, his wife.”

Which are herewith submitted for the concurrence of the Senate.

I am directed by the Speaker of the House, to lay before the Senate the report of the Warden of the Penitentiary, during the present session.

The following is the report of the Warden of the Penitentiary, above referred to.

CITY OF JEFFERSON, NOVEMBER 26th, 1836.

To the Honorable body of the Senate and House of Representatives of the State of Missouri:

The Warden of the State Penitentiary, respectfully represents, that of the prisoners now confined in said Penitentiary, are as follows:

Names.	Ages	Sex	Place of nativity.	Terms of commit- ment.	Offences with which charged	No. of offen- ces, with which char- ged.	Time of commitment.	Courts by which committed	Escaped	Dead	Pardoned	Discharged	Pardons, when granted	Terms unexpired in case of pardon	Conditions on w'h pard's were gr'n'd
Wilson Edson	22	male	Hawkins co. Tennessee	2 y's 45 d's	Grand larceny	1st	March 8, 1836.	Green Circuit							
Charles Borg	29		Germany, town Assondof	5 "	" "	"	May 28 "	St. Louis							
Alexander Bell	26		Scotland, city of Glasgow	2 "	" "	"	" " "	"							
George Anderson	18		Davidson county, Tenn.	2 "	" "	"	" " "	"			1		22d	23	
Jonathan Hilton*	32		Culpepper " Virginia	2 "	Stabbing with intent to kill	"	Aug 9, "	Randolph					Aug. 1836	mo's & 18 days	*Without conditions.
Harrison Jones	32		Philadelphia, Pennsylv'a.	2 "	Grand larceny	"	Oct. 20, "	St. Louis							
Jeremiah Massey	25		Montgomery county, Ky	6 "	" "	"	" " "	"							
Robert Kilgow	49		Faquier county, Virginia.	2 "	" "	"	" " "	"							
James Russell	39		Tolland " Conn.	2 "	" "	"	" " "	"							
John Garety	38		Ireland, town Waterford	2 "	" "	"	" " "	"							
George Manning	34		" " Cork,	2 "	" "	"	" " "	"							
Basie Appleby	19		Baltimore " Maryland,	4 "	" "	"	" " "	"							
Spencer Norton	28		Fayette " Kentucky,	6	" "	"	" 29, "	"							
alias Tho's Anderson															
Elijah Powell	21		Washington co. Ky.	3	" "	"	Nov. 21, "	Pike							

The convicts have been employed in removing the rubbish, leveling the yard, filling up cells, white-washing walls, paving entry, and in making brick. The latter was the principal employment from the last of June to the first of October. The continual rains during the end of summer and the beginning of fall, and an insufficiency of hands rendered the brick making business much less profitable than it will be hereafter.

The profits and expenditures of the institution have been as follows:—To wit, from labor of convicts, in removing rubbish, leveling yard, filling up cells, &c.		\$177,00
In furnishing brick and paving prison entry,		57,82
“ Curbing and paving walk,		39,57
“ White-washing prison and laying hearths,		70,20
“ Making brick for sale, and sold,		159,00
“ Making brick unsold,		125,00
“ Making brick shed,		8,00
Total,		\$636,59

The expenditures of the same period have been as follows:—To wit:

For stationery,	\$35,63
“ Oxen and cart,	75,00
“ Overseers salary,	113,10
“ Guards,	228,52
“ Oil and candles,	39,52
“ Hospital,	3,12
“ Provisions,	196,32
“ Convicts reprieved,	2,00
“ Physician’s salary,	23,75
“ Prison,	150,70
“ Beds and bedding,	110,31
“ Soap and brooms,	4,01
“ Clothing and making,	152,50
“ Wood for prison and burning brick,	165,75
“ Servant hire,	113,51
Total,	\$1,433;84

This amount of \$636,56, of earnings, deducted from the expenditures, leaves a balance against the prison of \$797,25

— The amount of articles on hand belonging to the institution, are as follows: To wit:

Clothing on hand,	\$135,00
Beds and bedding,	110,00
Prison utensils, &c.	160,00
Provisions on hand,	22,00
Oil, candles, and lamps,	16,00
Oxen and cart,	65,00

Books, &c.	34,00
Hospital,	2,00
Total,	\$544,00
This amount deducted from the expenditures, still leaves	
a balance against the institution of	\$253,25

Servant hire has somewhat increased our expenditures. About the time we got into successful operation, in making brick, one of the convicts scaled the walls of the Penitentiary, and attempted to effect his escape. He refused to be retaken until he was shot. The wound so disabled him, as to render him unfit for service afterwards. We lost his labor, and had to hire a hand in his place.

Making brick will be the most profitable employment for the convicts during the next two years. The prison yard contains a large quantity of dirt, which must be removed; the most economical mode of doing this is to make it into brick. The brick made will find a ready market, command a good price, and afford a handsome revenue.

A proportionate increase in the number of convicts, will render it necessary, during the next two years, to erect an additional number of cells. This will require a great quantity of brick; these can be made by the convicts within the walls.

The brick making business could be prosecuted much more successfully by employing a skilful brick-mason, and conferring on him the powers of an overseer. With his aid and instruction, the convicts may be made to erect the additional cells, that may be necessary. The wood work could also be done by employing a single carpenter, and placing that portion of the convicts who may have some knowledge of that branch of business, under his direction. A skilful brick-mason can probably be obtained for six hundred dollars. He could make this much out of doors, and of course he would not be confined in the walls of a prison, at the same business, for a less sum.

Under the present law, the overseer is allowed two hundred dollars per annum, and the guard each, one hundred and thirty two dollars per annum. for their services. These compensations are insufficient. An overseer should be an intelligent man, with business habits and good moral character; such men will not confine themselves in the walls of a prison for two hundred dollars per year.

The moral improvement of the convicts must depend much upon the character of the overseers.

The guards, too, should be men of good moral character and great firmness; such men cannot be employed for the present compensation. Indeed it has been with difficulty that guards have been employed at all. The overseer has frequently been compelled to stand guard, sometimes for two weeks in succession. Some out of curiosity, and others at the pressing request of myself, and some to procure a little cash in case of necessity, when no other means are offered, have undertaken to stand guard for short periods of time, but

never for any period of considerable length. The guard is continually changing, and the Warden has no choice in the selection of one, but is compelled to take such as offer their services. From this view the necessity of increasing the compensation is manifest. Another fact is important: Since the adjournment of the last session of the Legislature, all the necessities of life, together with labour of every description, have been greatly enhanced in value. The services of the most common labourers are worth from fourteen to fifteen dollars per month; of course the overseers and guard should receive as good, if not better wages than common labourers, unconnected with the prison. The principal overseer should be allowed six hundred dollars, the assistant three hundred dollars, and the guard at least two hundred dollars per annum, to be paid quarterly.

Besides the cells necessary to be erected, it will be necessary to put up work shops of different kinds, and to erect a wing at the back gate of the prison, where wagons and carts enter the prison. While vehicles are passing and repassing, the prison gate is necessarily thrown open, and in such cases a few daring convicts, working in the yard, could overpower the guard and effect their escape. The erection of the wing proposed would remove this danger. It should be constructed with two gates, one of which should be at all times shut. The vehicle should pass through the outer gate into the wing: the outer gate should then be closed, and the inner gate opened, letting the vehicle into the prison.

Much time has been expended in letting visitors in and out of the prison. In some of the state prisons, visitors are required to pay a small fee; this pays the expense and trouble of attending to the gate and sometimes furnishes a revenue besides. It has the effect too, to some extent, of keeping out idlers, and persons who have been in on former occasions.

The health of the convicts has been generally good; two brought here unwell have improved in health. The wounds of the convict shot, have been cured up; but he is still unable to follow active employment, and will probably continue so.

The physician has been uncommonly attentive to the prison, and in justice his salary should be raised also.

This is a complete detail of the transactions of the Penitentiary, together with my observations, &c. up to the first day of November, 1836.

I have the honor to be,

Very respectfully,

Your ob't serv't,

LEWIS BOLTON,

Warden of the Penitentiary.

Mr: Thompson pursuant to notice, asked and obtained leave to introduce,

“A bill to establish an Academy at Liberty Missouri;

Which was read a first time, and

Was ordered to a second reading.

Mr. Thompson offered the following concurrent resolution:

Resolved, If the House of Representatives concur, that a committee of three on the part of the Senate, and nine on the part of the House of Representatives, be appointed to frame a bill to fix the apportionment of representation among the several counties, and the Senatorial districts, for the next four years, in conformity to the census recently taken,

Which was adopted.

Mr. Vanarsdall gave notice that he would, on Thursday next, ask leave to introduce,

"A bill to incorporate the Monroe Academy."

Engrossed bills from the House of Representatives entitled,

"An act to provide that an act entitled an act to provide for the sale of township school lands, in Saline and other counties, be made applicable to Lafayette and other counties." And,

"A resolution to authorize the Auditor to draw his warrant in favor of James Arnold, for \$14 04 c'ts,

Were severally read a second time—and

They passed to a third reading.

Engrossed bills from the House of Representatives, entitled,

"An act to survey the north boundary of the State."

"An act for the relief of John T. Cleveland."

"An act amendatory to an act concerning slaves, approved March 19th, 1835."

"An act to organize the county of Audrain."

"An act to organize the county of Clark."

Were severally read a second time, and

Committed to a committee of the Whole House.

"A bill for the relief of the heirs of Finis W. Shannon, deceased, and their guardian."

Was read a second time, and

Ordered to be engrossed and read a third time on to-morrow.

"A bill to regulate inspectors of tobacco."

Was read a second time—and,

Committed to a committee of the Whole House.

"A bill to encourage the destruction of Wolves,"

Was read a second time—and,

Committed to a committee of the Whole House.

"A bill to organize the St. Louis and St. Charles turnpike company,"

Was read a second time—and,

Committed to a committee of the Whole House.

"Engrossed bills from the House of Representatives, to divorce Wade Lipscomb and Elizabeth, his wife"—and,

"An act for the relief of Ammon Knighton."

Were severally read a first time, and

Ordered to a second reading.

On motion of Mr. Rawlins,
An engrossed bill from the House of Representatives entitled.
An act declaring certain county roads, a part of the state road.
Was taken up—and,
On motion of Mr. Weaver,
Ordered to be engrossed and read a third time on to-morrow.
Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have adopted the following resolution, in which I am requested to ask the concurrence of the Senate:

Resolved, By the House of Representatives, the Senate concurring therein, that a joint select committee be raised, to consist of one member from each senatorial district of the House of Representatives, and eight members of the Senate; to whom shall be referred, the abstract of the census communicated to this house by the Secretary of State, and that said committee be instructed to bring in a bill, making an apportionment of the representation of this State, for the next four years.

The house have disagreed to the second amendment made by the Senate, to the resolution from the House, authorizing the Warden of the Penitentiary to employ an overseer and guard.

Which is herewith returned for their re-consideration.

The speaker of the House of Representatives, has this day signed an enrolled bill, entitled,

“An act to incorporate the Marine Insurance Company of St. Louis.”

Which is herewith submitted for the signature of the President of the Senate.

Mr. President signed said bill, and it was delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

On motion of Mr. Campbell,

The Senate reconsidered their first amendment to the concurrent resolution from the House of Representatives, to authorize the Warden of the Penitentiary, to employ an overseer and guard.

The question, will the Senate recede from the first amendment to the resolution?

Mr. Campbell moved to insist on the amendment.

Which was decided in the negative.

Whereby the Senate receded from their amendment.

Mr. Vanarsdall offered the following:

Resolved, By the Senate, the House of Representatives concurring therein, that a committee of five be appointed on the part of the Senate, to co-operate with such committee, as may be appointed on the part of the House, to lay off the state into convenient and suitable judicial circuits.

N

Which was adopted.

On motion of Mr. Ashby,

The Senate resolved itself into a committee of the Whole House, Mr. Weaver in the chair, on the "bill to authorize James A. Crump and others to keep a ferry at the city of Jefferson," and after some time spent therein, the committee rose and the chairman reported,

That the committee had considered said bill, and had instructed him to report the same with various amendments.

The Senate agreed to the report of the committee, and

The bill together with the amendments,

Were ordered to be engrossed, and they passed to a third reading

On motion of Mr. Lucas,

The Senate resolved itself into a committee of the Whole House, on the bill appropriating money, to defray the expenses of government, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose and the chairman reported,

That the committee had considered said bill, and had instructed him to report the same with amendments.

The Senate agreed to the report of the committee of the Whole, and the amendments of the committee

Were ordered to be engrossed, and

The bill together with the amendments,

Were ordered to be read a third time on to-morrow.

On motion of Mr. Weaver,

The Senate again resolved itself into a committee of the Whole House, on the orders of the day, Mr. Lucas in the chair, and after some time spent therein, the committee rose and the chairman reported,

That the committee had considered,

A bill to incorporate the St. Louis and St Charles turnpike company, and

Had instructed him to report said bill, with sundry amendments.

Also, a bill entitled, "an act for the relief of John T. Cleaveland,

Which he was instructed to report without amendment.

The Senate agreed to the report of the committee of the whole, and

On motion of Mr. Thompson,

The bill to incorporate the St. Louis and St. Charles turnpike company,

Was laid on the table.

The bill for the relief of John T. Cleaveland,

Was ordered to be read a third time on to-morrow.

Mr. Montgomery from the joint committee on Enrolled Bills reported that the committee had presented to the Governor for his approval, a bill entitled,

An act to incorporate the Marine Insurance Company of St. Louis

Mr. Campbell moved

A reconsideration of the vote of the Senate, agreeing to the re-

port of the committee of the Whole, on the bill to appropriate money to defray the expenses of Government,

Which was agreed to.

Mr. Campbell then moved,

To amend the bill by adding: also,

For the general contingent fund, for the year 1836, one thousand dollars, and

For paying for assessing and collecting the revenue, for the same year, one thousand dollars—to the end of the bill.

Which was agreed to, and

The report of the committee as amended was agreed to.

The amendments were ordered to be engrossed, and together with the bill, to be

Read a third time on to-morrow.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 14, 1836.

THE Senate met pursuant to adjournment.

Mr. Sterigere appeared and took his seat.

On motion of Mr. Weaver,

A call of the House was ordered.

Messrs. Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Rawlins, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams, answered to their names.

Mr. Smith absent with leave.

Messrs. Ashby, Montgomery and Robison, absent.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled,

“A joint resolution, authorising the Warden of the Penitentiary to employ an overseer and guards.

On motion of Mr. Lucas,

The committee of the Whole was discharged from the further consideration of

“A bill to organize the county of Audrain.” And

The bill was laid on the table.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT—The House of Representatives has passed a bill, entitled,

“An act supplementary to an act entitled an act concerning evidence.” Also

A memorial, from the Senate, to Congress on the subject of pre-emption rights to actual settlers on public lands, and

A bill from the Senate, entitled "An act for the relief of Joseph McCarty,"

With an amendment to each, in which the concurrence of the Senate is requested.

The House have adopted a resolution, requiring the Secretary of State to deliver the bids on printing to the joint committee on printing,

Which is herewith submitted for the concurrence of the Senate.

There have been introduced into the House, bills entitled,

A bill to incorporate the Marion city and Missouri rail road company.

A bill to incorporate the southern rail road company of Missouri.

A bill to incorporate the St. Louis Hotel company, of the city of St Louis, and

A bill supplementary to an act to provide for levying, collecting and assessing state and county taxes.

A bill for the relief of Anderson Martin, late collector of Ray county, and

A bill, amendatory to an act entitled, an act to restrain intercourse with the Indians, approved March 9, 1835.

A bill to establish an Academy, in the town of Liberty,
Was read a second time.

On motion of Mr. Thompson,

The rule requiring bills to be read on three several days being dispensed with, the bill was considered as engrossed, and

Was read a third time and it passed.

Ordered that the title thereof be

"An act" &c. as above.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill for the relief of Ezra Fox,"

"A bill for the relief of the heirs of Finis W. Shannon deceased, and

"A bill to authorise James A. Crump and others, to keep a ferry at the city of Jefferson.

On motion of Mr. Vanarsdall,

The Senate recurred to the order of propositions and motions, and

On his motion,

The committee of the Whole was discharged from the further consideration of

"A bill to organize the county of Clark," and it

Was laid on the table.

An engrossed bill from the House of Representatives, for the relief of Ammon Knighton,

Was read a second time, and

On motion of Mr. Campbell,

Was referred to the committee on Claims.

An engrossed bill from the House of Representatives, to divorce

Wade Lipscomb and Elizabeth Permelia his wife,

Was read a second time.

Mr. Vanarsdall moved,

To refer the bill to the committee on Civil Judicature,

Which, with leave, was withdrawn, and

He moved to lay it on the table.

Which was decided in the negative.

Mr. Dawson moved,

To lay the bill on the table until Monday next,

Which was also decided in the negative.

On motion of Mr. Ashby,

The bill was ordered to a third reading.

An engrossed bill from the House of Representatives, for the relief of the heirs of Finis W. Shannon, and their guardian,

Was read a third time and passed.

Ordered that the title be

“An act” &c. as aforesaid,

An engrossed bill to authorise James A. Crump and others, to keep a ferry at the city of Jefferson,

Was read a third time.

Mr Robison moved

To recommit the bill to a select committee,

Which was decided in the negative.

The question, shall the bill pass?

Was decided in the affirmative.

Ordered that the title thereof be

“An act” &c. as aforesaid

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives,

“A bill to provide for a general system of Internal Improvements in the state of Missouri.

The House has this day passed a bill entitled,

“An act amendatory to an act entitled ‘an act to restrain intercourse with the Indians,’ approved March 9, 1835.

Which is herewith submitted for the concurrence of the Senate.

The Speaker of the House, has this day signed an enrolled resolution, entitled,

“A resolution authorising the Warden of the Penitentiary to employ an overseer and guard for the Penitentiary.”

Which is herewith submitted for the signature of the President of the Senate.

The President signed said resolution, and it was delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

An engrossed bill for the relief Ezra Fox,

Was read a third time.

Mr. Vanarsdall moved to amend, by way of ryder, by striking out the word "present" in the fourth section and insert in lieu the word "deliver,"

Which was read a first and second time, and considered as engrossed, and

Was read a third time, and the bill together with the ryder passed.

Ordered that the title be,

"An act" &c. as aforesaid.

An engrossed bill from the House of Representatives, for the relief of John T. Cleaveland,

Was read a third time.

The question shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Dawson, Goforth, Gorham, Jones of Pike, Lee, Lucas, Rawlins, Robison, Thompson, Walsh and Williams—12.

Nays.—Messrs. Byrd, Campbell, Jones of Cooper, McClelland, Montgomery, Sterigere, Vanarsdall, and Weaver—8.

Mr. Smith absent with leave.

Mr. McDaniel absent.

An engrossed bill from the House of Representatives, declaring certain county roads, a part of the state road.

Was read a third time and passed.

An engrossed, concurrent resolution, from the House of Representatives, to authorize the Auditor of public accounts, to draw his warrant in favor of James Arnold, for fourteen dollars and four cents

Was read a third time, and

On motion of Mr. Rawlins

Was laid on the table.

A bill to provide, that an act, entitled "an act to provide for the sale of township school lands, in Saline and other counties," be made applicable to Lafayette and other counties,

Was read a third time and passed.

Engrossed bills from the House of Representatives entitled

"An act for the relief of Edwin Swink," and

"A bill to declare the assent of this state to the extension of the western boundary,

Were severally read a third time and passed

An engrossed memorial to Congress, on the subject of granting pre-emption rights to actual settlers on the public lands,

Was taken up, and the amendments made by the House of Representatives,

Were concurred in by the Senate.

An engrossed bill for the relief of Joseph McCarty.

Was taken up, and the amendments made, by the House of Representatives,

Were disagreed to.

Engrossed bills from the House of Representatives, entitled,

"An act supplementary to 'an act concerning evidence.'"

"A bill amendatory to an act, entitled 'an act to restrain intercourse with the Indians,' "approved March 9, 1835.

Were severally read a first time and

Were ordered to a second reading.

A concurrent resolution from the House of Representatives, requiring the Secretary of State, to deliver to the joint committee on printing all the bids which he may have received on that subject,

Was read a first time, and

On motion of Mr. Ashby,

Was laid on the table.

Mr. Montgomery from the joint committee on enrolled bills, reported that said committee had presented to the Governor, for his approval.

"A joint resolution, authorising the Warden of the Penitentiary to employ an overseer and guard.

Mr. Ashby offered the following:

Resolved, That hereafter it shall not be in order to move a call of the Senate, until the Journal of the preceeding day has been read, unless there is not a quorum present,

Which was decided by the chair to be out of order.

On motion of Mr. Lucas,

A bill to organize the county of Audrain, was taken up, and

Ordered to a third reading on to-morrow.

On motion of Mr. Campbell,

An engrossed bill from the House of Representatives, to appropriate money to defray the expenses of government,

Was read a third time, and passed—also

A concurrent resolution, to authorize the Auditor to draw his warrant in favor of James Arnold, for \$14 04 cents,

Was read a third time and passed.

Mr. Lucas from the committee on Internal Improvements reported, a bill supplementary to an act, entitled,

"An act to incorporate a company to make a McAdamized road, from the town of Caledonia, in Washington county, to the Mississippi river," approved March 16th, 1835.

Which was read a first time, and

Was ordered to a second reading.

On motion of Mr. Sterigere,

A resolution offered by him on the 29th November, to elect an assistant Secretary of the Senate,

Was taken up and adopted.

Mr. McClelland moved,

To reconsider the vote, by which the above resolution was adopted,

Which was agreed to.

Mr. Thompson moved,

To amend the resolution, by striking out "now" and inserting "tomorrow."

Mr. Byrd moved,

To lay the resolution on the table,

Which was agreed to.

On motion of Mr. Campbell,

A bill to regulate proceedings on writs of *mandamus*,

Was taken up,—and,

He moved

To amend the third section, by striking out, "such place as an issue joined in such action on the case should or might have been tried," and insert in lieu thereof, *the court from which such writ of mandamus issued.*

Which was agreed to—and,

The bill was ordered to a third reading.

On motion of Mr. Jones of Cooper,

Mr. Rawlins was added to the committee on Engrossed Bills.

On motion of Mr. Campbell.

The Senate resolved itself into a committee of the Whole House, M. Sterigere in the chair, and after some time spent therein, the committee rose, and the chairman reported,

That the committee had considered,

A bill to encourage the destruction of Wolves,—and,

A bill to survey and mark out the north boundary line of the state.

And had instructed him to report each with an amendment. Also,

A bill to regulate the inspection of tobacco,

Which he was instructed to report without amendment.

The report of the committee was agreed to.

"A bill for the destruction of Wolves"—and,

"A bill to regulate the inspection of Tobacco,"

Were severally ordered to be engrossed, with the amendments to the first, and

They passed to a third reading.

The amendments to the bill to survey and mark out the north boundary line of the State,

Were ordered to be engrossed, and

The bill together with the amendments,

Were ordered to a third reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed a bill entitled,

"An act to incorporate the south St. Louis Steam Ferry company."

Which is herewith submitted for the concurrence of the Senate.

Mr. Vanarsdall from the committee on Internal improvements, reported,

A bill for the construction of the Mississippi and Iron Mountain

section of the Mississippi and Pacific rail road company.

On motion

The Senate adjourned.

THURSDAY, DECEMBER 15, 1836.

THE Senate met pursuant to adjournment.

On motion of Mr. Goforth,

A warrant issued by the Auditor of Public accounts against J. C. Johnson, late collector of Washington county, was permitted to be withdrawn from the office of the Secretary of the Senate.

Mr. Sterigere presented a petition of a number of the inhabitants of township forty-one, in range one east, of the fifth principal meridian, praying an incorporation of said township into a school district.

Which was referred to a select committee of Messrs. Sterigere, McDaniel and Jones of Pike.

Mr. Jones of Cooper reported as truly engrossed,

"A bill to regulate inspectors of Tobacco."

"A bill to encourage the destruction of Wolves"—and,

"An engrossed amendments made by the Senate to a bill from the House of Representatives to survey the north boundary of the State."

On motion of Mr. Vanarsdall,

He was discharged from serving on the committee on Enrolled Bills, and

Mr. Byrd was added to said committee.

An engrossed bill from the House of Representatives, supplementary to 'an act concerning evidence', and

A bill supplementary to 'an act to authorize a company to make a McAdamized road from the town of Caledonia, in Washington county, to the Mississippi river, approved March 16th, 1835.

Were severally read a second time, and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives amendatory to 'an act to restrain intercourse with the Indians', approved March 9th, 1836.

Was read a second time, and

Ordered to a third reading.

An engrossed bill from the House of Representatives to survey and mark out the north boundary of the state,

Was read a third time and passed,

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There has been introduced into the House of Representatives,

"A memorial on the subject of lands patented and field notes."

"An engrossed bill to encourage the destruction of Wolves,"

Was taken up, and

On motion of Mr. Ashby,

Laid on the table.

An engrossed bill, regulating inspectors of Tobacco,

Was read a third time.

Mr. Ashby moved

To amend by way of ryder, by striking out the 19th section.

The ryder was read a first time, and

No objection being made,

It was read a second time and considered as engrossed, and

Was read a third time, and the bill together with the ryder passed.

Ordered that the title be,

"An act" &c. as aforesaid.

Mr. Montgomery from the committee on enrolled bills reported as truly enrolled,

"An act to express the assent of this state to the extension of the western boundary line of the State."

"An act declaring certain roads a part of the State road."

"An act for the relief of John T. Cleavland."

"An act to provide that an act entitled an act to provide for the sale of township school lands, in Saline and other counties, be made applicable to Lafayette and other counties."

"An act for the relief of Edwin Swink." And,

"A memorial to the Congress of the United States on the subject of pre-emption rights to actual settlers, on the public lands."

Engrossed bills from the House of Representatives entitled,

"An act to organize the county of Clark,"

"An act to organize the county of Audrain,"

Were severally read a third time and passed.

An engrossed bill from the House of Representatives to divorce Wade Lipscomb and Elizabeth Permelia his wife,

Was read a third time.

Mr. Sterigere moved,

To lay the bill on the table,

Which was decided in the negative, as follows:

Ayes—Messrs. Ashby, Deguire, McClelland, McDaniel, Montgomery, Weaver and Williams—7.

Nays—Messrs. Byrd, Campbell, Dawson, Goforth, Jones of Cooper, Jones of Pike, Lee, Lucas, Robison, Sterigere, Thompson, Valle, Vanarsdall and Walsh—14.

Mr. Smith absent with leave.

Messrs. Gorham and Rawlins absent.

Mr. President laid before the Senate the following communication from the Auditor.

AUDITOR'S OFFICE,
City of Jefferson, December 15, 1836. }

The honorable the Senate of Missouri:

The Auditor of public accounts has this day made a communication to the House of Representatives, containing a tabular statement, of the amount of the revenue chargeable to each county of the state, for each of the last two fiscal years, the specific object of taxation, on which such amount is chargeable, the tax separately on each object of taxation, and likewise the expense of assessing and copying the tax lists of each county—which table or abstract, is made in compliance with an act of the last General Assembly, approved March 9, 1835.

I have the honor to be, resp'tly.

PETER G. GLOVER.

On motion of Mr. Campbell,

The Senate resolved itself into a committee of the Whole House, Mr. McClelland in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered,

“A bill supplementary to an act concerning slaves.”

Which he was instructed to report without amendment. Also

“A bill to incorporate the central fire company of St. Louis,

Which he was instructed to report with an amendment.

“A bill supplementary to an act entitled ‘an act concerning evidence.’”

Which he reported without amendment. And

“A bill supplementary to ‘an act to incorporate a company, to make a McAdamised road from the town of Caledonia, in Washington county, to the Mississippi river,’ approved March 16, 1835.”

Which he reported with amendments.

Mr. Dawson moved,

To lay the report of the committee of the Whole, in relation to the bill mentioned 4th in the report, on the table,

Which was agreed to.

The bill supplementary to an act concerning evidence,

Was ordered to a third reading.

The amendments made to the bill to charter the central fire company of the city of St. Louis,

Was agreed to and ordered to be engrossed, and

The bill together with the amendments,

Were ordered to a third reading on to-morrow.

The amendments to the “bill supplementary to an act concerning slaves,”

Were agreed to and ordered to be engrossed, and

Together with the bill, were ordered to a third reading on to-morrow.

On motion of Mr. Lucas,
 "A bill supplementary to an act to incorporate a company to make
 a McAdamised road,"

Was taken up, and the amendments were agreed to, and

The bill, as amended,

Was ordered to be engrossed and read a third time on to-morrow.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have concurred
 in the amendments made by the Senate, to the bill which originated
 in the House, entitled

"An act appropriating money for defraying the expenses of Gov-
 ernment."

The Speaker has signed bills entitled,

"A memorial to Congress on the subject of pre-emption rights, to
 actual settlers on the public lands."

"An act to express the assent of the state of Missouri, to the ex-
 tension of the western boundary line of the state."

"An act declaring certain county roads a part of the state road."

"An act for the relief of John T. Cleaveland."

"An act to provide, that an act entitled 'an act to provide for the
 sale of township school lands, in Saline and other counties,' be made
 applicable to Lafayette and other counties." And

"An act for the relief of Edwin Swink."

Which are herewith submitted for the signature of the President
 of the Senate.

Mr. President signed said bills, and they were delivered to the
 committee on Enrolled Bills, to be presented to the Governor for
 his approval and signature.

On motion of Mr. Vanarsdall,

A bill to charter the Mississippi and Iron Mountain section of the
 Mississippi and Pacific rail road company,

Was taken up and

On motion of Mr. Goforth,

Was recommitted to a committee of the Whole House.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 16, 1836.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls:

MR. PRESIDENT—There have been introduced into the House of
 Representatives, bills entitled

"A bill to amend an act entitled, 'an act to license and tax merchants,'" and

"A bill to amend an act to license groceries."

Mr. Walsh presented a memorial to Congress, to attach a piece of land, which was reserved for the half breed Indians, situated between the Desmoines and Mississippi rivers, to the state.

Which was read a first time and passed to a second reading.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed

"A bill supplementary to an act entitled 'an act to incorporate a M'Adamised road from the town of Caledonia, in Washington county, to the Mississippi river, approved March 16, 1835.'"

Mr. Sterigere obtained leave and introduced a bill, concerning the pay of grand jurors,

Which was read a first time.

Mr. Weaver moved,

That the rule requiring bills to be read on three several days be dispensed with, and the bill read a second time,

Which was decided in the negative by the casting vote of the President.

Mr. Byrd moved,

A reconsideration of the vote,

Which was agreed to.

The rule was then dispensed with, two thirds of the Senate voting therefor, and

The bill was read a second time, and was

Committed to a committee of the Whole House.

An engrossed bill supplementary to an act entitled, an act to incorporate a company, to make a M'Adamised road &c., approved March 16, 1835.

Was read a third time.

Mr. Robison moved,

To amend by way of ryder, by inserting in the second line of the seventh section, after the word "appurtenances," the words *or any portion thereof*.

The ryder was read a first and a second time.

The question, shall the ryder be engrossed and read a third time?

Was decided in the negative, by the casting vote of the President—ten Senators voting for and ten against engrossing the ryder.

On motion of Mr. Robison,

The bill was laid on the table.

An engrossed bill from the House of Representatives, to incorporate the central fire company of St. Louis,

Was read a third time and passed.

Mr. Montgomery from the joint committee on enrolled bills, reported as truly enrolled

A bill appropriating money for defraying the expenses of Government.

A bill to organize the county of Clark.

A bill to organize the county of Audrain.

Mr. Montgomery, from the same committee, reported, that the committee had presented to the Governor for his approval,

An act to express the assent of the state of Missouri to the extension of the western boundary line of the state.

An act for the relief of Edwin Swink.

An act to provide, that an act entitled 'an act to provide for the sale of township school lands in Saline and other counties,' be made applicable to Lafayette and other counties.

An act declaring certain county roads a part of the state road.

An act for the relief of John T. Cleveland. And

A memorial to the Congress of the United States, on the subject of pre-emption rights to actual settlers on the public lands.

An engrossed bill from the House of Representatives, amendatory to an act entitled 'an act to restrain intercourse with the Indians,'

Was read a third time.

The question, shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Montgomery, Rawlins, Robison, Thompson, Weaver and Williams

—18

Nays—Messrs. Gorham, Sterigere and Vanarsdall—3.

Mr. Smith absent with leave.

Messrs. Valle and Walsh absent.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The Speaker of the house of Representatives, has signed enrolled bills, entitled

"An act to organize the county of Audrain."

"An act to organize the county of Clark."

An act appropriating money to defray the expenses of government.

All of which are herewith submitted, for the signature of the President of the Senate.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

An engrossed bill from the House of Representatives, supplementary to an act entitled "an act concerning evidence."

Was read a third time.

Mr. Vanarsdall moved,

To amend by way of ryder, by striking out the first section of the bill.

The question, shall the ryder be rejected?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Rawlins, Robison, Sterigere, Thompson, Walsh and Williams—18.

Nays—Messrs. Vanarsdall and Weaver.

The question recurring, shall the bill pass?

Was decided in the affirmative.

An engrossed bill from the House of Representatives, amendatory to an act entitled,

An act concerning slaves.

Was read a third time.

Mr. Weaver moved,

To amend by way of ryder, by striking out of the seventh line, of the second section "five hundred," and insert in lieu thereof *one thousand*.

The ryder was read a first and a second time.

Mr. Lucas moved,

To amend the ryder by striking out "one thousand" and insert in lieu the *value of the slave*.

Which was accepted by Mr. Weaver.

The ryder, as amended, was ordered to be engrossed, and

Was read a third time.

Mr. Dawson moved,

To amend by way of ryder, by adding a third section to the bill

Mr. Jones of Cooper moved,

To recommit the bill to a committee of the Whole House,

Which was agreed to.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 17, 1836.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Price, a member.

MR. PRESIDENT—The House has authorised the joint committee on Enrolled Bills to correct a clerical mistake in an act, which has passed both Houses, to organize the county of Audrain, by inserting, after the word "fifty" in the twenty first line of the first section, the word *one*, and requests the concurrence of the Senate.

The Senate authorised the committee to correct the error.

Mr. Montgomery from the joint committee on Enrolled Bills, reported, that the committee had presented to the Governor for his approval, bills entitled,

"An act appropriating money for defraying the expenses of government," and

"An act to organize the county of Clark."

Mr. Sterigere gave notice, that he would on Monday next, ask leave to introduce a bill supplementary, to an act concerning county contracts.

A memorial to Congress, to attach a piece of land, reserved for the half breed Indians, situated between the Desmoines and Mississippi rivers, to this state,

Was read a second time, and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, to incorporate the South St. Louis Steam Ferry Company.

Was read a first time and it passed to a second reading.

The President laid before the Senate the following communication from the Executive.

EXECUTIVE DEPARTMENT,
December 16, 1836. }

To the Honorable, the Senate of Missouri:

GENTLEMEN—I have this day approved and signed a memorial to the Congress of the United States, in behalf of actual settlers on the public lands.

I have the honor to be,

With great respect,

Your obedient serv't.

LILBURN W. BOGGS.

On motion of Mr. Vanarsdall,

The Senate resolved itself into a committee of the Whole House, Mr. Sterigere in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee had considered,

A memorial to Congress, to attach a piece of land reserved for the half breed Indians, situated between the Desmoines and the Mississippi rivers, to this state, and

Had instructed him to report the same without amendment. Also

A bill to prohibit the publication, circulation, or promulgation of the doctrines of Abolition, and

Had instructed him, to report that the committee had made some progress in the consideration thereof—but asked leave to sit again thereon.

Which was granted by the Senate.

The report of the committee of the Whole was agreed to, and

The memorial to Congress to attach a piece of land reserved for the half breed Indians to the State,

Was ordered to a third reading on Monday next.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives bills entitled.

“A bill for the relief of Wm. B. Napton.”

“A bill authorizing limited partnerships.” And

“A bill to incorporate the Salt river Navigation Company.

The House have passed a bill entitled,

“An act to authorize the State Treasurer to receive the surplus revenue.”

Which is herewith submitted for the concurrence of the Senate.

The House have concurred in the resolution of the Senate, proposing the appointment of a joint committee to frame

“A bill to fix the apportionment of representation among the several counties and senatorial districts.” And

Have appointed on the part of the House, Messrs. King, Thornton, Jackson, Chambers, Davis, Monroe, Hancock, Jones and Simmons, to join such committee as the Senate may appoint on that subject.

The House have concurred in the passage of a bill from the Senate entitled,

“An act to pay Andrew Ramsay.”

With an amendment to which the concurrence of the Senate is requested.

On motion of Mr. Vanarsdall,

The committee of the whole was discharged from the further consideration of

“A bill to charter the Mississippi and Iron Mountain section of the Mississippi and Pacific Rail Road Company.” And

It was referred to the committee on Internal Improvements.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The Speaker of the House of Representatives has this day signed an enrolled bill entitled,

“An act amendatory to an act entitled ‘an act to restrain intercourse with the Indians, approved March 9th, 1835.’”

Which is herewith submitted for the signature of the president of the Senate.

The President signed said bill and it was delivered to the committee on enrolled bills, to be presented to the Governor for his approval and signature.

The President appointed Messrs. Thompson, Jones of Cooper, and McDaniel, a committee on the part of the Senate, to act in conjunction with the committee of the House, in fixing the apportionment of Representation among the several counties and senatorial districts.

On motion of Mr. Dawson,

A bill entitled “an act to pay Andrew Ramsey,”

P

Was taken up, and

The amendments of the House of Representatives were agreed to.

On motion of Mr. Robison,

A bill supplementary to an act to incorporate a company to make McAdamized road from the town of Caledonia, in Washington county, to the Mississippi river,

Was taken up.

Mr. Robison moved

To amend by way of ryder as follows, amend the third line of the 7th section by adding "or any part thereof."

Add as an 8th section, "Should the State at any time herein prescribed, purchase any portion of said rail road and appurtenances, it shall be the duty of the stockholders, after they shall have received due compensation therefor, to transfer to the State in due proportion according to the amount of stock held by each, such an amount of said road or stock as the State may desire to purchase."

Amend the eighth section by striking out "eight" and insert *nine*.

The ryder was read a first time, no objection being made, it was read a second time, and

Was considered as engrossed, and was read a third time—and

The bill together with the ryder passed.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled,

"A bill to pay Andrew Ramsay."

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The Speaker of the House of Representatives has this day signed an enrolled bill entitled,

"An act to pay Andrew Ramsay."

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and it was delivered to the committee on Enrolled Bills to be presented to the Governor for his approval and signature.

Mr. Vanarsdall moved

A re-consideration of the vote on the final passage of the bill to divorce Wade Lipscomb and Elizabeth Permelia, his wife,

Which was agreed to, and

The bill together with the petition and other documents were,

On motion of Mr. Vanarsdall,

Referred to a select committee.

Messrs. Vanarsdall, Rawlins and Weaver, were appointed that committee.

On motion of Mr. Campbell,

The committee on Civil Judicature, was discharged from the further consideration of,

"A petition of Joab Mobley for a divorce," and

It was referred to the above select committee.

Mr. Campbell from the committee on Civil Judicature reported,
A bill giving certain powers to the Mayor, Aldermen, and citizens
of the City of St. Louis, which

Was read a first time, and passed to a second reading.

On motion of Mr. Vanarsdall,

The resolution offered by Mr. Sterigere to elect an assistant secretary, was taken up.

Mr. Ashby moved

To lay the resolution on the table until Monday next,

Which was decided in the negative.

The question shall the resolution be adopted?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Goforth, Lee, Lucas, McClelland, McDaniel, Sterigere, Thompson, Valle, Vanarsdall, Walsh and Weaver—13.

Nays—Messrs. Byrd, Deguire, Gorham, Jones of Cooper, Jones of Pike, Rawlins and Robison—7.

Mr. Smith absent with leave. Messrs. Dawson and Williams absent.

The Senate proceeded to the election of an assistant secretary.

Mr. McDaniel nominated John W. Bowen.

The vote was taken, and there appeared for Mr. Bowen,

Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Montgomery, Robison, Sterigere, Thompson, Valle, Vanarsdall, Walsh and Weaver—20.

Mr. Smith absent with leave.

Messrs. Dawson and Williams absent.

Mr. Bowen was declared to be duly elected, was qualified and entered upon the duties of his office.

Mr. Montgomery from the joint committee on Enrolled Bills reported that the committee had presented to the Governor for his approval, a bill entitled,

“An act to pay Andrew Ramsey.”

The president laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
December 17th, 1836. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed a bill entitled,
“An act to pay Andrew Ramsey.”

I have the honor to be, With high respect, Your ob't serv't,
LILBURN W. BOGGS.

The following is the abstract of the census of the several counties of the State of Missouri, taken in the year 1836, which was communicated to the president of the Senate by the Secretary of State, and by the president laid before the Senate.

FREE WHITE MALES.

Counties.	under 10 yrs of age	of 10 and under 18	of 18 and under 21	of 21 and under 45	of 45 and upwards	total male population
Barry,	500	268	68	354	107	1297
Benton	304	179	40	205	55	783
Boone,	2467	1715	540	1733	401	6856
Callaway,						
Cape Girardeau,	1188	682	245	977	323	3415
Carroll,	402	156	52	340	80	1030
Chariton,	568	294	62	470	129	1523
Clay,	1445	723	164	1037	315	3684
Clinton,	384	136	51	260	68	899
Cole,	1101	496	102	772	216	2687
Cooper,	1225	832	244	760	325	3386
Crawford,	558	262	99	408	115	1442
Franklin,	823	444	148	680	206	2301
Gasconade,	593	243	99	439	137	1511
Green,	673	306	129	461	178	1747
Howard,	1862	1206	440	1287	440	5235
Jackson,	811	373	118	620	167	2089
Jefferson,	636	731	174	506	117	2164
Johnson,	499	204	71	381	104	1259
Lafayette,	728	368	94	562	163	1915
Lewis,	512	220	87	521	117	1457
Lincoln,	926	498	167	740	221	2552
Madison,	491	267	73	358	133	1322
Marion,	1026	557	204	1009	268	3064
Monroe,	1009	503	129	821	203	2665
Montgomery,	498	224	74	340	107	1243
Morgan,	522	279	79	355	120	1355
New Madrid,	464	281	103	439	133	1420
Perry,	610	344	116	489	191	1750
Pettis,	339	139	44	255	62	839
Pike,	1364	728	211	1186	322	3811
Polk,	473	236	53	378	103	1243
Pulaski,						
Ralls,	762	330	85	637	168	1982
Randolph,	1165	547	122	774	197	2805
Ray,	1259	586	152	882	259	3138
Ripley,	443	213	47	312	77	1092
Rives,	274	130	39	232	57	732
St. Charles,	756	479	151	913	213	2512
St. Francois,	458	261	71	363	135	1288
Ste. Genevieve,	327	191	66	265	113	962
St. Louis,	2241	1335	412	4266	708	8962
Saline,	485	257	62	361	120	1285
Scott,	453	226	64	416	116	1275
Shelby,	181	79	18	171	27	476
Stoddard,	361	169	47	244	74	895
Van Buren,	253	107	31	195	50	636
Warren,	469	249	78	390	130	1316
Washington,	1082	583	152	899	289	3005
Wayne,	449	269	71	301	111	1201
	36419	19905	5948	30764	8470	101506

FREE WHITE FEMALES.

under 10 y'rs of age	of 10 and under 18	of 18 and under 21	of 21 and under 45	of 45 and upwards	total female population.	total free white pers'ns
401	225	68	293	97	1084	2381
231	146	57	177	32	643	1426
2396	1601	532	1737	397	6663	13519
						7203
1444	682	260	799	413	3298	7713
396	156	62	260	64	938	1968
507	255	108	368	91	1329	2852
1346	743	198	930	230	3447	7131
391	165	60	220	49	885	1784
1002	183	153	671	166	2475	5162
1119	763	298	656	309	3145	6531
599	254	60	386	83	1382	2824
702	387	143	481	150	1863	4164
487	257	89	357	92	1282	2793
591	325	114	376	113	1519	3266
1833	1112	447	1261	445	5098	10333
743	323	107	464	111	1748	3837
613	703	179	517	139	2151	4315
440	246	65	298	92	1141	2400
691	354	140	437	152	1774	3689
514	245	74	378	55	1266	2723
894	456	141	630	182	2303	4855
467	261	81	301	94	1204	2526
884	515	153	742	183	2477	5541
983	455	138	694	158	2428	5093
442	199	64	316	91	1112	2355
473	248	69	315	78	1183	2538
468	261	94	369	97	1289	2709
576	242	231	272	137	1458	3208
297	125	33	210	61	726	1565
1314	690	205	981	294	3484	7295
498	215	74	378	55	1220	2463
						3091
611	303	105	505	138	1662	3644
1067	505	151	769	163	2655	5460
1223	503	200	780	180	2886	6024
377	200	53	270	50	950	2042
251	126	51	187	45	660	1392
697	446	173	644	156	2116	4628
466	222	99	300	112	1199	2487
310	164	76	216	86	852	1814
2194	1243	488	2367	559	6851	15813
431	219	99	293	94	1136	2421
403	300	64	345	88	1200	2475
166	82	28	131	24	431	907
328	179	59	209	54	829	1724
223	96	27	167	44	557	1193
444	207	66	340	105	1162	2478
1117	511	143	735	200	2706	5711
443	217	57	300	73	1090	2291
34193	18615	6436	24832	6881	90957	202757

COLORED PERSONS BOTH SEXES				Free white persons, male and female be- tw'n 5 and 16 y's age	Total pop- ulation in 1832.
Counties.	Slaves.	Free persons of color	total am't of population		
Barry,	120	3	2504	781	
Benton,	83	3	1512	534	
Boone,	2826	5	16350	2619	9921
Callaway,	2305	12	9520	2256	7677
C. Girardeau,	1111	28	7852	2048	7675
Carrol,	152	2	2122	606	
Chariton,	621	10	3483	892	2411
Clay,	1370	32	8533	2487	6686
Clinton,	106		1890	579	
Cole,	700	4	5866	1732	4231
Cooper,	1836	9	8376	1933	7618
Crawford,	101	1	2026	891	5653
Franklin,	851	6	5021	1201	4345
Gasconade,	218	1	3012	806	2136
Green,	575		3841	1007	
Howard,	3390	50	13773	2909	11740
Jackson,	620	65	4522	1153	5101
Jefferson,	296	39	4650	1866	3245
Johnson,	299	4	2703	738	
Lafayette,	973	21	4683	1221	4255
Lewis,	828		3551	683	
Lincoln,	1075	3	5933	1584	5180
Madison,	576	5	3107	767	2429
Marion,	2061	10	7612	1706	7381
Monroe,	1071		6164	1619	3026
Montgomery,	531	5	2891	1281	4955
Morgan,	267	2	2807	850	
New Madrid,	576	15	3300	884	2700
Perry,	585	10	3803	1095	3861
Pettis,	312	1	1878	464	
Pike,	2069	16	9380	2247	8038
Polk,	117	1	2581	795	
Pulaski,	143		3234	980	
Ralls,	975	4	4623	1140	3797
Randolph,	948	1	6409	1612	4353
Ray,	546	3	6573	1913	3922
Ripley,	66	15	2123	672	
Rives,	151		1543	389	
St. Charles,	1263	7	5898	1437	5446
St. Francois,	510	16	3013	730	2519
Ste. Genevieve,	448	33	2295	560	2357
St. Louis,	3376	404	19593	3479	16796
Saline,	1000		3421	768	3585
Scott,	507	9	2991	714	2472
Shelby,	164	9	1080	253	
Stoddard,	19	1	1744	294	
Van Buren,	42	3	1238	359	
Warren,	458	2	2938	705	
Washington,	1024	35	6770	1770	7010
Wayne,	279	6	2576	794	3756
	40540	911	244208	60803	176277

It will be found on examining the foregoing abstract, that in Callaway and Pulaski counties, the ages of free white persons are not given—this could not be done, as the Sheriffs blended the number of males and females; but by comparing the total white population with other counties, the free white males in Callaway, may be set down at 3700, and in Pulaski at 1740.

I have appended to the counties that were in existence in 1832, the total population in each, as shown by the census of that year.

In 1821, the total population of our State was 70,467; in 1824, it was 80,677; in 1828, it was 112,409; in 1832, it was 176,277; and in 1836, it was 244,208.

Which is respectfully laid before the General Assembly.

HENRY SHURLDS,

Secretary of State.

On motion,
The Senate adjourned.

MONDAY, DECEMBER 19, 1836.

THE Senate met pursuant to adjournment.

W^r. Walsh presented a petition of Peter Lindell and others, requesting a change in the charter of incorporation, of the Missouri Insurance Company,

Which was referred to a select committee of Messrs. Walsh, Ashby, Jones of Pike, and Lee.

Mr. Goforth from the committee on Claims submitted the following report:

The committee on claims to whom was referred, a petition of E. McAlexander, have had the same under consideration, and have instructed me to make the following report:

Your committee, on examination, find this to be a claim of the Sheriff of Saline county, for services rendered and money expended in a case where the State of Missouri was plaintiff, and Jim, a slave, charged with murder, was defendant.

They also find among the papers referred to them, an account in favor of said McAlexander, audited and allowed by John T. Ryland, Judge of the circuit court of that county, for the amount claimed in the bill. And believing the claim will come within the perview of the thirtieth section of an act entitled,

“An act to regulate the fees of the several officers of this State, approved February the 19th, 1835.”

The committee recommend the passage of the bill.

The same committee have also had under consideration,

“A bill for the relief of Ammon Knighton.” And

Have instructed me to recommend the passage of the same.

Mr. Robison gave notice that he would on to-morrow, ask leave

to introduce a bill, supplementary to an act entitled,

"An act for holding inquests," approved February 26th, 1836.

Mr. Dawson obtained leave and introduced a joint resolution to make a part of the interest of the three per cent. fund, applicable to the payment of the allowance to Andrew Ramsey, made by the passage of an act, which was approved December 17th, 1836.

Which was read a first time, and

On motion of Mr. Dawson,

The rule requiring bills to be read on three several days was dispensed with, and

The resolution was read a second time, and was considered as engrossed, and

Was read a third time and passed.

Mr. Sterigere, pursuant to notice, introduced a bill supplementary to an act entitled,

"An act concerning county contracts."

Which was read a first time and ordered to a second reading.

Mr. Vanarsdall gave notice, that on Thursday next, he would ask leave to introduce,

A bill to provide for the payment of petit jurors.

Mr. Sterigere offered the following:

Resolved, That the committee on Civil Judicature, be instructed to inquire into the expediency of changing the organization of the county courts. That said courts shall be composed of one Judge only. Also, into the expediency of establishing distinct courts of probate, and that they report by bill or otherwise.

An engrossed bill from the House of Representatives to incorporate the South St. Louis Steam Ferry Company,

Was read a second time, and

It passed to a third reading.

A bill giving certain powers to the Mayor, Aldermen and citizens of St. Louis,

Was read a second time, and

Was committed to a committee of the Whole House.

A bill for the relief of Ammon Knighton, which was reported by the committee on claims,

Was taken up—and,

Ordered to a third reading on to-morrow,

A bill for the relief of E. McAlexander reported by the same committee,

Was taken up—and,

Committed to a committee of the Whole House.

A memorial to Congress to attach a piece of land, which was reserved to the half breed Indians, and lies between the Des Moines and Mississippi rivers,

Was read a third time and passed.

An engrossed bill from the House of Representatives to authorize the State Treasurer to receive the surplus revenue,

Was read a first time, and
Was ordered to a second reading.

On motion of Mr. Sterigere

The Senate resolved itself into a committee of the Whole House, Mr. Robison in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered,

“A bill concerning grand jurors,”

And had instructed him to report it without amendment.

“A bill for the relief of E. McAlexander,”

And had instructed him to report it with several amendments—and,

“A bill to prohibit the publication, circulation or promulgation of abolition doctrines.” And

Had instructed him to recommend to the Senate to refer it to a select committee.

Mr. Lucas moved,

That the report of the committee of the whole, in relation to each of the several bills, be considered separately,

Which was agreed to.

The report of the committee in relation to the bill for the relief of E. McAlexander,

Was agreed to—and,

Was ordered to a third reading on to-morrow.

Mr. Lucas moved,

To amend the report of the committee of the Whole, in relation to the bill concerning grand jurors, by adding in the fifth line of the first section, after the words “one dollar” *twenty-five cents*.

The question shall the amendment be adopted?

The ayes and nays being called for by Mr. Lucas, was decided in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Goforth, Lee, Lucas, McClelland, McDaniel, Sterigere and Walsh—10.

Nays—Messrs. Ashby, Byrd, Gorham, Jones of Cooper, Jones of P. Montgomery, Rawlins, Robison, Thompson and Vanarsdall—10.

There being a tie, Mr. President decided the question in the negative.

Mr. Thompson moved,

To amend the bill by adding in the sixth line of the first section, after the word “such,” *and five cents for each mile necessarily travelled in going to and returning from the place of holding courts.*

The question shall the amendment be adopted,

Was decided in the negative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Lee, Montgomery, Thompson and Walsh—9.

Nays—Messrs. Goforth, Gorham, Jones of Cooper, Jones of Pike, Lucas, McClelland, McDaniel, Rawlins, Robison, Sterigere, Vanarsdall and Weaver—12.

Q

The bill was ordered to be engrossed, and

Read a third time to-morrow.

The recommendation of the committee of the Whole, in relation to the bill to prohibit the circulation, promulgation and publication of abolition doctrines

Was adopted, and

The bill referred to a select committee of Messrs. McDaniel, Vanarsdall, Lucas, Campbell and Sterigere.

Mr. President laid before the Senate a communication from the Secretary of State, containing proposals to print the laws and journals—which,

On motion of Mr. Vanarsdall,

Was referred to the committee on Printing.

Mr. Vanarsdall from the committee on Internal Improvements, reported,

“A bill to construct the Mississippi and Iron Mountain rail road.”

Which was read, and

On motion of Mr. Byrd,

Laid on the table.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled,

“An act for the relief of Joseph McCarty.” And

“A joint resolution to make the interest of the three per cent. fund applicable to the payment of the allowance to Andrew Ramsey.”

Mr. Thompson offered the following:

Resolved, That the committee on the Penitentiary, be requested to inquire into the propriety of renting out the Penitentiary for a term of years, and report to this House accordingly.

Message from the House of Representatives by Mr. Ralls:

MR. PRESIDENT—There have been introduced into the House of Representatives, a joint resolution on the subject of an amendment of the constitution of the United States, so as to prevent any election of President of the United States by the House of Representatives, and the Vice President of the United States by the Senate, so that the election can in no case be taken from the people, and to give the people the privilege of voting directly for those officers—and

“A bill declaring the present county road from Boonville to Georgetown, a part of the State road.”

The house have passed bills entitled,

“An act for the relief of Anderson Martin, late collector of Ray county.” And,

“An act to legalize the sale of township school lands.”

Which is herewith submitted for the concurrence of the Senate.

The House have reconsidered and receded from their amendments to the bill from the Senate, entitled,

“An act for the relief of Joseph McCarty.”

The House have considered and concurred in the amendments made by the Senate to the bills which originated in the House, entitled,

“An act to incorporate the Central Fire Company of St. Louis.”

“An act regulating proceedings on writs of *mandamus*.” And,

“An act to survey and mark out the northern boundary line of this state.”

The House have concurred in the passage of a resolution of the Senate, entitled,

“A resolution to make the interest of the three per cent. fund, applicable to the payment of the allowance to Andrew Ramsey,

Which is herewith returned.

On motion of Mr. Ashby,

An engrossed bill from the House of Representatives, to legalize the sale of township school lands,

Was taken up and read a first time, and

It passed to a second reading.

An engrossed bill from the House of Representatives, for the relief of Anderson Martin, late collector of Ray county,

Was read a first time, and

It passed to a second reading.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day concurred in the passage of the bill from the Senate, entitled,

“An act to authorize James A. Crump and others, to keep a ferry at the City of Jefferson.

With amendments, in which the concurrence of the Senate is requested.

The Speaker of the House of Representatives has this day signed an enrolled bill, entitled,

“An act for the relief of Joseph McCarty,” and

“A resolution to make the interest of the three per cent fund applicable to the payment of the allowance to Andrew Ramsey.”

Which are herewith submitted for the signature of the President of the Senate.

Mr. President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

On motion of Mr. Ashby,

“A bill to authorize James A. Crump and others to keep a ferry at the City of Jefferson,

Was taken up, and the amendments made thereto, by the House of Representatives,

Were considered and concurred in by the Senate.

On motion of Mr. Lucas,

The committee of the Whole was discharged from the further consideration of

"A bill amendatory to 'an act concerning slaves.'" And

He moved,

To amend the bill, by striking out of the seventh line of the second section, after the words "forfeit and pay," the words "not exceeding five hundred dollars," and insert in lieu, *an amount equal to the value of the slave.* Also

He offered an additional section to the bill, and

On his motion,

The bill together with the amendments

Were laid on the table.

On motion,

The Senate adjourned,

TUESDAY, DECEMBER 20, 1836.

THE Senate met pursuant to adjournment.

Mr. Lee presented a memorial of John Ruland, clerk of the circuit court of the county of St. Louis, praying a restoration to the clerks of courts of record, in this state, the fees formerly allowed them, for searching the files and records of their offices. Which

On his motion,

Was referred to to the committee on Civil Judicature.

Mr. McDaniel presented a petition of a number of the citizens of the town of Hannibal, in the county of Marion, representing, that owing to the great increase in population, trade and commerce, and the consequent necessity of enforcing a wholesome internal police, they desire to be incorporated into a body politic, under the name and style of the inhabitants of the city of Hannibal, subject to the laws of the state.

Which, on motion of Mr. Vanarsdall,

Was referred to a select committee.

Messrs. McDaniel, Jones of Pike and Sterigere, were appointed that committee.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, bills entitled,

"An act to incorporate the Central fire company of St. Louis."

"An act to survey and mark out the northern boundary of the state."

"An act supplementary to an act, entitled, 'an act concerning evidence.' "

"An act to regulate proceedings on writs of *mandamus*." And

"A resolution to authorize the Auditor to draw his warrant in favor of James Arnold for fourteen dollars and four cents.

Mr. Montgomery, from the same committee, submitted the following report:

The joint committee on Enrolled Bills have presented to the Governor for his approval,

"An act for the relief of Joseph McCarty."

"An act amendatory to an act entitled, 'an act to restrain intercourse with the Indians.'" And

"A joint resolution making the interest of the three per cent fund, applicable to the payment of an allowance to Andrew Ramsey.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT, }
December 19, 1836. }

To the Honorable, the Senate of Missouri:

GENTLEMEN—I have this day approved and signed a joint resolution, appropriating the interest of the three per cent fund, and making the same applicable to the bill passed at the present session of the General Assembly, entitled

"An act to pay Andrew Ramsey." Approved December 17, 1836.

I have the honor to be,

With great respect,

Your obedient serv't.

LILBURN W. BOGGS.

Mr. Vanarsdall, pursuant to notice, obtained leave to introduce, A bill to establish an Academy in the town of Paris, Monroe county.

Which was read a first time and

Ordered to a second reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives, bills entitled

"A bill to incorporate the Louisiana and Columbia rail road company."

"A bill to incorporate the town of St. Charles."

"A bill to establish an Academy in the town of Union."

"A bill to provide for fixing the permanent seat of justice in the county of Van Buren."

"A bill to provide for the selling of lots in the City of Jefferson."

"A bill appropriating money to build a state house."

"A bill providing for the appointment of commissioners of the permanent seat of government."

"A bill to organize the counties of Caldwell and Davis."

"A bill to charter a rail road from St. Louis to the valley of Bell-vieu." And

"A bill to define the general powers, privileges and liabilities, of corporations."

The House has passed bills entitled,

"An act for the relief of William B. Napton."

"An act to survey and mark out a state road, from Paris in Monroe county, to the mouth of the Des Moines river." And

"A memorial on the subject of land patents and field notes."

All of which are herewith submitted for the concurrence of the Senate.

Mr. Robison pursuant to notice, obtained leave and introduced, A bill entitled an act supplementary to "an act for holding inquests." Approved February 25, 1835.

Which was read a first time, and

It passed to a second reading.

Mr. Jones of Pike, pursuant to notice, obtained leave and introduced,

A bill supplementary to an act, entitled "an act to license auctioneers, and impose a tax on licenses and sales."

Which was read a first time, and

It passed to a second reading.

On motion of Mr. Sterigere,

Mr. Jones of Cooper was added to the committee on the Militia.

Engrossed bills from the House of Representatives, to regulate the sale of township school lands, and

A bill to authorize the state Treasurer, to receive the surplus revenue,

Were severally read a second time and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, for the relief of Anderson Martin, collector of Ray county,

Was read a second time, and

On motion of Mr. Campbell,

Was referred to the committee on Claims.

A bill supplementary to an act concerning county contracts,

Was read a second time, and

Committed to a committee of the Whole House.

An engrossed bill concerning grand jurors.

Was read a third time.

Mr. Thompson moved

To amend the bill, by way of ryder, by adding as a third section, "The several county courts shall have power to make an order, that the grand jurors of their respective counties, shall be paid for their services, and this act shall not be construed to operate on any county, when the county court shall not make such an order.

On motion of Mr. Jones of Cooper,

The bill together with the ryder was laid on the table.

An engrossed bill from the House of Representatives, entitled

"An act to incorporate the south St. Louis steam ferry company, Was read a third time.

Mr. Robison moved,

To amend the bill, by way of ryder, by striking out all of the preamble, after the word "preamble" in the third line from the top of the bill.

The ryder was read a first time, and

No objection being made,

It was read a second time, and was considered engrossed, and

Was read a third time, and

The bill together with the ryder passed.

Engrossed bills from the House of Representatives entitled,

"An act for the relief of Ammon Knighton." And

"An act for the relief of E. McAlexander,

Were severally read a third time, and they passed.

An engrossed memorial from the House of Representatives, on the subject of land patents and field notes,

Was read a first time.

On motion of Mr. Campbell,

The rule requiring bills to be read on three several days, being dispensed with, the memorial

Was read a second time, and

On motion of Mr. Jones of Cooper,

Was considered as engrossed and

Was read a third time and passed.

Engrossed bills from the House of Representatives entitled,

"A bill to survey and mark out a state road from Paris, Monroe county, to the mouth of the Des Moines river," and

"A bill for the relief of William B. Napton."

Were severally read a first time, and

Ordered to a second reading.

Mr. Walsh from the Select committee, to which was referred a petition of the stockholders of the Missouri Insurance company of St Louis, reported

A bill to amend an act, entitled "an act to incorporate the Missouri insurance company of St. Louis."

Which was read a first time and

Ordered to a second reading.

Mr. Rawlins from the committee on the Penitentiary, to which was referred a resolution, requiring said committee to inquire into the expediency of renting out the Penitentiary, for a term of years, reported a bill on that subject, entitled

An act respecting the Penitentiary.

Mr. Sterigere offered the following:

Resolved, 1st. That the committee on the Militia, be instructed to inquire into the expediency of requiring the commanding officers of companies, to make returns, under the provisions of the eleventh section of the third article of 'an act to regulate, govern and discipline the Militia,' at an earlier period.

2nd. That said committee inquire into the expediency of re-

quiring the brigade inspectors to attend the trainings of officers, held according to the provisions of the fifteenth section of the seventh article of said act, during the whole time of the continuance of said training, and of exempting the corporals from attending said trainings.

3rd. That said committee inquire into the expediency of repealing the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth sections of the seventh article of said act.

4th. That said committee inquire into the expediency of furnishing the officers of the Militia, with the laws of the United States regulating the militia.

5th. That said committee inquire into the expediency of requiring company officers to make return of delinquents, but once in each year, and of making the returns required by the thirty-seventh section of the seventh article of said act, to the president of the regimental court martial.

6th. That said committee inquire into the expediency of furnishing the brigade inspector with music, at the expense of the State, and that the musicians receive a compensation sufficient to enable them to attend the brigade inspector around the brigade if necessary. Into the expediency of abolishing the use of poll books in the elections of company officers, and into the expediency of permitting delinquents to make a written statement of the facts constituting their excuse for such delinquency, and annexing an affidavit made before a justice of the peace, of the truth of such statement.

7th. That said committee inquire into the expediency of fixing days of company musters, and provide that notice of regimental and battallion musters be given at company musters, and that said committee report by bill or otherwise.

Which was adopted.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 21. 1836.

THE Senate met pursuant to adjournment.

Mr. Campbell presented a petition of the Sheriffs of St. Louis and St. Charles counties, asking additional compensation for taking the census of the present year;

Which was referred to the committee on Claims.

Mr. Montgomery from the committee on Enrolled Bills, reported as truly enrolled, a bill entitled,

“An act to authorize James A. Crump and others to keep a ferry at the City of Jefferson.”

Mr. Weaver from the committee on revisal and unfinished business reported,

"A bill declaring a certain county road a part of the State road."

Which was read a first time, and

It passed to a second reading.

Mr. McDaniel from the select committee to which was referred,

A bill to prohibit the circulation, publication, and promulgation of abolition doctrines,

Reported the same with an amendment.

The bill and amendment were read a second time, and

Ordered to be engrossed and read a third time on to-morrow.

Mr. Ashby from the select committee to which was referred several bills to organize new counties reported,

"A bill to organize several counties therein named."

Which was read a first time—and,

On his motion,

The rule requiring bills to be read on three several days was dispensed with—and

The bill was read a second time—and,

Committed to the committee of the Whole House.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have adopted a concurrent resolution on the subject of electing a Warden of the Penitentiary,

Which is herewith submitted for the action of the Senate.

There has been introduced into the House,

"A bill to establish a state road."

The Speaker of the House has signed bills entitled,

"An act to incorporate the Central Fire Company of the City of St. Louis."

"An act to survey and mark out the northern boundary line of the State."

"An act supplementary to an act entitled 'an act concerning evidence.'"

"An act to regulate proceedings on writs of *mandamus*."

"A resolution to authorize the Auditor to draw his warrant in favor of James Arnold, for fourteen dollars and four cents." And

"An act to authorize James A Crump and others to keep a ferry at the City of Jefferson."

All of which are herewith submitted for the signature of the president of the Senate.

The president signed said bills and they were delivered to the committee on enrolled bills, to be presented to the Governor for his approval and signature.

Mr. Vanarsdall from the select committee, to which was referred,

A bill to divorce Wade Lipscomb and Elizabeth Permelia his wife,

Reported the same without amendment.

R

Mr. Sterigere gave notice that he would on to-morrow ask leave to introduce,

A bill to enable Francis M. Pritchett and James Pritchett infants, to convey real estate.

Mr. McDaniel submitted the following:

Resolved, That the committee on Claims be directed to inquire into the propriety of allowing to the several Sheriffs in this State, additional compensation for taking the census of the present year, and also, increasing their compensation for such service hereafter,

Which was adopted.

Bills entitled, "A bill respecting the Penitentiary."

"A bill to amend an act entitled 'an act to incorporate the Missouri Insurance Company of St. Louis.'"

"A bill supplementary to an act, entitled 'an act to license Auctioneers, and impose a tax on licenses and sales' approved February 26th, 1835."

"A bill supplementary to an act for holding inquests, approved February 26th, 1835."

"A bill to establish the Monroe Academy."

Were severally read a second time, and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives for the relief of Wm. B. Napton,

Was read a second time—and,

On motion of Mr. Rawlins,

Referred to the committee on Claims.

An engrossed bill from the House of Representatives to survey and mark out a state road, from Paris, Monroe county, to the mouth of the Des Moines river,

Was read a second time, and

It passed to a third reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed bills entitled,

"An act declaring the present county road from Boonville to Georgetown a part of the State road." And

"An act supplementary to an act entitled 'an act to regulate the sale of the sixteenth sections, and provide for organizing, regulating and perpetuating common schools.'"

Which are herewith submitted for the concurrence of the Senate.

The House have concurred in the passage of bills from the Senate entitled,

"An act to establish an Academy in the town of Liberty." And

"A memorial to Congress, to attach a piece of land reserved for the half breed Indians, situated between the Mississippi and Des Moines rivers to this State."

Which are herewith returned.

The House have considered and concurred in the amendments made by the Senate, to the bill which originated in the House entitled,

“An act to incorporate the South St. Louis Steam Ferry Company.”

On motion of Mr. Sterigere,

The bill concerning grand jurors,

Was taken up—and,

The ryder offered by Mr. Thompson, was rejected,

Mr. Campbell moved,

To amend the bill by way of ryder, by adding as a third section,
“If any county court are of opinion that their county do not require that their grand jurors should be paid, they shall have power to make an order that no compensation shall be allowed to grand jurors in such county, and shall certify such order to the circuit court, and after the making of such order, no pay shall be granted to grand jurors in such county, until the same shall be rescinded,”

Which was read a first time.

The question shall the ryder be rejected?

Was determined in the negative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, McClelland, Montgomery, Sterigere, Valle, Vanarsdall, Waver and Williams—10.

Nays—Messrs. Campbell, Dawson, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lucas, McDaniel, Rawlins, Thompson and Walsh—11.

Mr. Smith absent with leave,

Mr. Lee absent.

The ryder was read a second time—and,

On motion of Mr. Rawlins,

Was considered as engrossed, and

Was read a third time.

Mr. Ashby moved,

To amend the bill by way of ryder, by striking out of the third line of the first section “one dollar” and insert *fifty cents*, and add to the second section, “the further sum of four cents for every mile they may necessarily travel in going to and returning from the court house.

Which was read a first time.

The question shall the ryder be reejcted?

Was decided in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Jones of Pike, Lucas, McDaniel, Rawlins, Sterigere, Vanarsdall and Walsh—12.

Nays—Messrs. Ashby, Byrd, McClelland, Montgomery, Thompson, Valle, Weaver and Williams—8.

M. Smith absent with leave.

Mr. Lee absent.

Mr. Campbell moved,

To amend by way of ryder, by adding as a fourth section,
 "Grand jurors in addition to their daily allowance shall receive three cents per mile, for the distance they shall necessarily travel in going to and returning from courts.

Which was read a first time.

No objection being made,

It was read a second time, and was considered as engrossed, and

Was read a third time.

Mr. Sterigere moved

To amend by way of ryder, by inserting after the word "served" in the seventh line of the second section, *and the number of miles each grand juror shall necessarily have travelled, in going to and returning from the place of holding courts.*

Which was read a first time, and

No objection being made,

It was read a second time, and was considered as engrossed, and

Was read a third time.

On motion of Mr. Valle,

The bill together with the several ryders,

Was recommitted to a committee of the Whole House.

An engrossed bill from the House of Representatives, declaring a certain county road a part of the state road,

Was read a first time and

It passed to a second reading.

Mr. Montgomery from the jointcommittee on Enrolled bills, reported that the committee had presented to the Governor for his approval, bills entitled

"An act supplementary to an act, entitled 'an act concerning evidence.'"

"An act to regulate proceedings on writs of *mandamus*."

"An act to incorporate the Central Fire company of St. Louis."

"An act to authorize James A. Crump and others to keep a ferry at the City of Jefferson."

"An act to survey and mark out the northern boundary of the state." And

"A resolution to authorize the Auditor to draw his warrant in favor of James Arnold for fourteen dollars and four cents."

On motion of Mr. Weaver,

A concurrent resolution from the House of Representatives, proposing to elect a Warden of the Penitentiary,

Was taken up—and

And after some debating about the propriety of acting thereon immediately,

On motion of Mr. Sterigere,

The resolution was laid on the table.

On motion of Mr. Ashby,

A bill for the destruction of Wolves,

Was taken up and read a third time.

Mr. Ashby moved

To amend the bill, by way of ryder, by striking out the sixth, seventh, and eighth sections of the bill.

The ryder was read a first time,

No objection being made,

It was read a second time, and was considered as engrossed, and Was read a third time,—and

The bill together with the ryder passed.

An engrossed bill from the House of Representatives, entitled

“An act supplementary to an act entitled ‘an act to regulate the sale of the sixteenth sections, and to provide for organizing, regulating and perpetuating common schools.

Was read a first time, and it

Passed to a second reading.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House, Mr. Goforth in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered

A bill concerning grand jurors, and

Had instructed him to report the same with amendments. Also

A bill organizing counties herein named. And

Had made some progress in in the consideration thereof, and asked leave to sit again thereon.

Which was granted by the Senate.

A bill concerning grand jurors,

Was ordered to be engrossed, and read a third time on to-morrow.

Mr. Campbell asked and obtained leave to introduce a bill to amend

An act concerning mill-dams. And

A bill respecting chancery practice.

Which were read a first time, and severally

Ordered to a second reading.

On motion

The Senate adjourned.

THURSDAY, DECEMBER 22, 1836.

THE Senate met pursuant to adjournment.

Mr. Walsh presented a petition of Henry Chouteau, clerk of the county court of St. Louis, setting forth that the fees allowed by law to clerks of the several county courts, in this state, are in many cases, insufficient, and inadequate to the amount of labor required to be done, and requesting the enactment of a law, providing a just and adequate compensation for the services required to be performed by said clerks, in probate business. Which

On motion of Mr. Lucas,

Was referred to a select committee.

Messrs Walsh, Lucas and Vanarsdall were appointed that committee.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills of the following titles, viz:

"A bill entitled an act to incorporate the South St. Louis Steam Ferry Company."

"An act for the relief of E. McAlexander, late Sheriff of Saline county."

"An act for the relief of Ammon Knighton."

"An act to establish an Academy in the town of Liberty."

"A memorial on the subject of lands patented and field notes." and

"A memorial to the Congress of the United States, to attach a point of land reserved for the half breed Indians, situated between the Mississippi and Des Moines rivers, to this state,"

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed

"A bill to prohibit the publication, circulation and promulgation of abolition doctrines," and

"A bill concerning grand jurors."

Mr. Vanarsdall pursuant to notice, obtained leave to introduce A bill supplementary to an act respecting executors and administrators. Approved March 10, 1835. Also

Mr. Sterigere pursuant to notice, obtained leave to introduce A bill to authorize James and Francis Pritchett, infants under the age of twenty one years, to sell and convey certain lands. Both of which bills

Were read a first time, and they were severally

Ordered to a second reading.

On motion of Mr. Lucas,

"A bill to construct the Mississippi and Iron Mountain Rail Road Company,"

Was recommitted to the committee on Internal Improvements.

Mr. Sterigere offered the following:

Resolved, By the Senate, the House of Representatives concurring therein, that the two Houses will, on Tuesday next, at three o'clock in the afternoon, proceed to the election of a Warden of the Penitentiary,

Which after some debating, was

On his motion,

Laid on the table.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There has been introduced into the House of Representatives

A bill to attach certain territory to Clay and Clinton counties.

The House have concurred in the passage of a bill from the Senate entitled,

An act supplementary to an act entitled, an act to incorporate a company to make a M'Adamised road from the town of Caledonia, in Washington county to the Mississippi river, approved March 16, 1835, with sundry amendments, in which the concurrence of the Senate is requested.

The Speaker of the House of Representatives has this day signed bills entitled,

An act to incorporate the South St. Louis Steam Ferry Company.

An act for the relief of E. McAlexander, late Sheriff of Saline county.

An act for the relief of Ammon Knighton.

An act to establish an Academy in the town of Liberty.

A memorial on the subject of lands patented and field notes. And

A memorial to the Congress of the United States to attach a piece of land reserved for the half breed Indians situated between the Mississippi and Des Moines rivers, to the state.

All of which are herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled Bills to be presented to the Governor for his approval and signature.

A bill declaring certain county roads a part of the state road,

Was read a second time, and

Ordered to be engrossed, and

It passed to a third reading.

An engrossed bill from the House of Representatives supplementary to an act entitled an act to regulate the sale of the sixteenth sections, and to provide for organizing, regulating and perpetuating common schools,

Was read a second time, and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, declaring a certain county road a part of the state Road,

Was read a second time, and it

Passed to a third reading.

A bill to amend an act concerning mill-dams, and

A bill respecting chancery practice,

Were severally read a second time, and

Committed to a committee of the Whole House.

An engrossed bill to prohibit the circulation, publication, or promulgation of Abolition doctrines,

Was read a third time.

Mr. Jones of Cooper moved

To amend by way of rider to the bill, by inserting after the word "opinions" in the third line of the first section, *among slaves*.

Mr. Sterigere moved

To recommit the bill to a committee of the Whole House,

Which was decided in the negative.

The question shall the ryder be rejected, recurred?

Mr. Jones asked and obtained leave, to withdraw the ryder, and
On motion of Mr. Ashby,

The bill was recommitted to a committee of the Whole House.

Mr. Dawson offered the following:

Resolved, By the Senate, that the inspectors of the penitentiary be requested to lay before the Senate a copy of the minutes and proceedings, required by law to be kept by them, as inspectors,

Which was adopted.

An engrossed bill concerning grand jurors,

Was read a third time and passed.

Ordered that the title thereof be,

"An act" &c. as above.

The amendments, made by the House of Representatives to a bill from the Senate, supplementary to an act to incorporate a company to make a McAdamized road from the town of Caledonia, in Washington county, to the Mississippi river, approved March 16th, 1835.

Were taken up, and

Considered by the Senate and agreed to.

On motion of Mr. Ashby,

The Senate resolved itself into a committee of the Whole House, Mr. Jones of Pike in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered,

"A bill to prohibit the publication, circulation or promulgation of abolition doctrines."

"A bill supplementary to an act entitled 'an act for holding inquests.'"

"A bill supplementary to an act concerning county contracts."

The two first mentioned of which, he was instructed to report with amendments, and the last with out amendment. Also

"A bill to amend an act entitled an act to incorporate the Missouri Insurance company of St. Louis." And

"A bill supplementary to an act to license Auctioneers and impose a tax on licenses and sales, approved February 26th, 1835." And

Instructed him to report the same without amendment.

The committee had considered,

"A bill to organize certain counties therein named."

In which the committee had made some progress in the consideration of, but asked leave to sit again thereon,

Which was granted by the Senate.

Mr. Ashby moved,

That the report of the committee in relation to the several bills which had been considered, be taken up separately.

Which was agreed to.

The report of the committee as related to each bill

Was separately considered and agreed to, and

The bills were severally ordered to be engrossed, together with the amendments to those that had been amended in committee of the Whole, and they were severally

Ordered to a third reading on to-morrow.

Mr. Jones of Cooper from the committee on engrossed bills, reported as truly engrossed,

"A bill declaring a certain county road a part of the State road.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 23, 1836.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives bills entitled,

"A bill to attach a part of the county of Ripley to the county of Washington."

"A bill supplementary to an act entitled 'an act to provide for levying, assessing and collecting the revenue.'"

"A bill to amend an act entitled 'an act to fix the salaries of civil officers.'"

The President laid before the Senate the following communications from the Executive.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
December 21st, 1836. }

To the honorable the Senate of Missouri:

GENTLEMEN—I have this day approved and signed a bill entitled,

"An act to authorize James A. Crump and others to keep a ferry at the City of Jefferson.

I have the honor to be,

With high respect,

Your ob't serv't,

LILBURN W. BOGGS.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
December 22d, 1836. }

To the Senate of Missouri:

GENTLEMEN—I have this day signed and approved,

"A memorial to the Congress of the United States, praying the extension of our northern boundary line, east to the Mississippi river." And

S

"An act to establish an Academy in the town of Liberty."

I have the honor to be,

With high respect,

Your obedient servant,

LILBURN W. BOGGS.

Mr. Montgomery from the joint committee on Enrolled Bills reported that said committee had presented to the Governor for his approval, bills and memorials of the following titles, namely:

"An act to incorporate the South St. Louis Steam Ferry Company."

"An act for the relief of E. McAlexander, late Sheriff of Saline county."

"An act for the relief of Ammon Knighton."

"An act to establish an academy in the town of Liberty."

"A memorial on the subject of land patents and field notes." And

"A memorial to the Congress of the United States to attach a piece of land reserved for the half breed Indians, situated between the Des Moines and Mississippi rivers, to this state."

Mr. Walsh from the select committee, to which was referred a petition of Henry Choteau, clerk of the county court of St. Louis county, reported

"A bill to amend an act to regulate fees."

Which was read a first time and

Passed to a second reading.

Mr. Goforth from the committee on Claims, to which was referred

"A bill for the relief of Anderson Martin, late collector of Ray county." And also

"A bill for the relief of William B. Napton."

Reported both of said bills without an amendment to either.

Mr. Valle presented a petition of P. J. Verhaegen, proposing to establish a school at Jefferson City, on condition that the legislature would grant a suitable piece of land for that purpose.

Which was referred to the committee on Education.

He also presented another petition from the same gentleman, representing that the institution of learning over which he presides, has been subject to a state tax ever since the commencement of its operation, in November, 1829, and praying an allowance of one hundred dollars, or if that be too much, that the amount that shall be found to have been paid by the institution as a state tax be refunded.

Which was referred to the committee on Claims.

Mr. Vanarsdall from the joint committee on Printing, reported that the joint committee of both Houses, to whom was referred the printing of the laws and journals of the present General Assembly, had instructed him to report:

That they have accepted and approved of the bid of A. B. Chambers and Oliver Harris, for the printing of the laws and journals of this session of the General Assembly,—and,

Your committee recommend the adoption of the following resolution:

Resolved, By the General Assembly of the State of Missouri, as follows, to wit:

That the Secretary of State is authorized to take bond from A. B. Chambers and O. Harris according to law, for the printing of the laws and journals of this session of the General Assembly, according to the bill herewith submitted.

On motion of Mr. Ashby,

The report and resolution were both laid on the table,

Mr. President laid before the Senate a communication from James H. Birch, proposing to print the laws and joint resolutions, and also the journals of both houses of the present General Assembly—which

On motion

Was referred to the joint committee on printing.

Mr. Sterigere submitted the following:

Resolved, That the commissioner of the permanent seat of government be requested to furnish the Senate with an estimate of the probable amount for which the lots belonging to the State, at the seat of government, will sell on a credit of six, twelve and eighteen months, on the contingency that the building of a capital be authorized.

Which was adopted.

Mr. Jones, of Cooper from the committee on Engrossed Bills, reported as truly engrossed, bills of the following titles:

“A bill to prohibit the publication, circulation or promulgation of abolition doctrines.”

“A bill supplementary to an act to license Auctioneers and impose a tax on licenses and sales.”

“An act supplementary to an act concerning county contracts.”

“An act to amend an act to incorporate the Missouri Insurance Company of St. Louis.”

“A bill to authorize James and Francis Pritchett to sell certain lands.” And

“A bill supplementary to an act entitled an act respecting Executors and administrators,” approved March 10th 1835; which

Were severally read a second time, and

Committed to a committee of the Whole House.

“A bill to prohibit the circulation, publication or promulgation of abolition doctrines.”

“A bill declaring certain county roads a part of the state road.

“A bill supplementary to an act entitled ‘an act concerning county contracts.’”

“A bill supplementary to an act entitled ‘an act concerning inquests.’”

“A bill supplementary to ‘an act to license Auctioneers and to impose a tax on licenses and sales.’”

Were severally read a third time and passed.

Ordered that the title of each be

"An act" &c. as aforesaid.

"An act to amend an act, entitled 'an act to incorporate the Missouri Insurance Company of St. Louis.'"

Was read a third time.

Mr. Byrd moved

To amend by way of ryder, by striking out of the eleventh line of the first section, the word "ten," and insert in lieu thereof *eight*.

Which was read a first time.

Objections being made.

The question, shall the ryder be rejected?

Was determined in the negative.

The ryder was read a second time, and

Was considered as engrossed and

Was read a third time, and

The bill together with the ryder passed.

Ordered that the title be

"An act" &c. as aforesaid.

On motion of Mr. Jones of Cooper,

The orders of the day were passed over—and

On his motion,

The Senate resolved itself into a committee of the Whole House, on the bill to authorize the Treasurer to receive the surplus revenue, Mr. Weaver in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered said bill, and had instructed him to report it without amendment.

Mr. Lucas moved

To amend the report of the committee, by striking out the preamble to the bill.

The question, will the Senate agree to the amendmendment, proposed to the report of the committee of the Whole?

Was decided in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Jones of Pike, Lucas and Walsh—6.

Nays—Messrs. Ashby, Byrd, Goforth, Gorham, Jones of Cooper, McClelland, Montgomery, Robison, Sterigere, Thompson, Valle, Vanarsdall, Weaver and Williams—14.

Mr. Smith absent with leave.

Messrs. Lee, McDaniel and Rawlins absent.

Mr. Jones of Cooper moved

To dispense with the rule requiring bills to be read on three several days,

Which was agreed to, two thirds voting therefor, and

The bill was read a third time.

The question shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Deguire, Goforth, Gorham, Jones of Coop-

er, McClelland, Montgomery, Robison, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—15.

Nays—Messrs. Byrd, Campbell, Dawson, Jones of Pike and Lucas—5.

Absent as above.

Ordered that the title of the bill be

“An act” &c as above.

Mr. Robison from the committee on Education, submitted the following report:

The committee on Education, to which was referred a resolution, instructing them to inquire into the expediency of amending the law relative to township school lands, so as, that the money arising from the sales of said lands, may be placed in the immediate possession of the trustees of each incorporated township, have instructed me to report that it is inexpedient.

Engrossed bills from the House of Representatives, which were reported back to the Senate without amendment, by the committee on Claims, viz:

“A bill for the relief of Anderson Martin, late collector of Ray county,” and

“A bill for the relief of Wm. B. Napton.”

Were severally taken up, and

Read a second time, and

Ordered to a third reading.

On motion of Mr. Goforth,

The rule requiring bills to be read on three several days, being dispensed with, two thirds voting for the same, said bills were severally read a third time and passed.

Ordered that the title of each be

“An act” &c. as aforesaid.

The President laid before the Senate a communication from the Secretary of state, containing sealed proposals to print the laws and journals of the present session. Which,

On motion of Mr. Sterigere,

Was referred to the joint committee on printing.

Mr. Campbell pursuant to notice, obtained leave and introduced bills entitled

“A bill to amend an act respecting executors and administrators.”

“A bill to amend an act to regulate elections.”

“A bill to pay jurors.” Which

Were severally read a first time, and

They passed to a second reading.

On motion of Mr. Ashby,

The Senate resolved itself into a committee of the Whole House, Mr. Vanarsdall in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered

“A bill to organize new counties therein named.” And

"A bill giving certain powers to the mayor, aldermen and citizens of St. Louis." And

Had instructed him to report each with amendments.

"The bill to organize new counties therein named,"

Was taken up, and the report of the committee in relation to it, Was agreed to, and

The bill together with the amendments, Were ordered to be engrossed, and

Read a third time to-morrow.

On motion of Mr. Lucas,

The report of the committee, in relation to

"The bill giving certain powers to the mayor, aldermen and citizens of St. Louis"

Was laid on the table.

On motion of Mr. Lucas,

"A bill amendatory to an act concerning slaves,"

Was taken up, and

The first amendment proposed by him, viz: To strike out of the tenth line of the first section "five hundred dollars," and insert *an amount equal to the value of the slave.*

Was rejected.

On motion of Mr. Weaver,

The bill was laid on the table,

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed bills, entitled

"An act to provide for fixing the permanent seat of justice, in the county of Van Buren."

"An act to establish an Academy in the town of Union."

"An act to amend an act entitled 'an act respecting Attorney General and Circuit attorneys.'" Approved January 5, 1835,

"An act to organize the counties of Caldwell and Daviess.

All of which are herewith submitted for the concurrence of the Senate.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 24, 1836.

THE Senate met pursuant to adjournment.

Mr. Goforth submitted the following report:

The committee on claims, to whom was referred a petition of the Sheriffs of St. Louis and St. Charles counties, praying for additional compensation for taking the census of the present year. Also

A resolution of the Senate, instructing the committee to inquire into the propriety, of allowing the several sheriffs of the state additional compensation for taking the census of their respective counties—have had the same under consideration and have instructed me to make the following report.

Your committee are aware, that the compensation, now allowed by law, for this service is too small in many cases, yet they believe that no general law could now be passed, that would afford equal justice to all the Sheriffs in the state, for the work already done, as it appears that in many cases the census has not been fully taken. Not being able to discover why the Sheriffs of St. Louis and St. Charles, are better entitled to additional compensation, than many other Sheriffs in the state—the committee believe the prayer of the petitioners ought not to be granted, and that any legislation on the subject, for the work already done, is inexpedient. Which

On motion of Mr. Thompson,

Was laid on the table.

Mr. Goforth from the same committee reported a bill amendatory of an act entitled,

“An act for taking the census.”

Which was read a first time and

Passed to a second reading,

Mr. Vanarsdall moved,

To recur to the order of propositions and motions,

Which was agreed to—and,

He obtained leave of absence for Messrs. Lee and Rawlins.

“A bill to amend an act respecting executors and administrators.”

“A bill to pay jurors.”

“A bill to amend an act to regulate elections.” And

“A bill to amend an act to regulate fees.”

Were severally read a second time, and

Committed to a committee of the Whole House.

On motion of Mr. Sterigere,

A concurrent resolution to elect a Warden of the Penitentiary,

Was taken up.

The question shall the resolution be adopted?

Was decided in the negative as follows:

Ayes—Messrs. Goforth, McClelland, Robison, Sterigere, Valle, Vanarsdall, Weaver and Williams—9.

Nays—Messrs. Ashby, Byrd, Campbell, Dawson, Gorham, Jones of Cooper, Jones of Pike, Lucas, Thompson and Walsh—10

Messrs. Lee, Rawlins and Smith, absent with leave.

Messrs. Deguire and McDaniel, absent.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives, bills entitled

“A bill supplementary to an act entitled ‘an act for surveying and

marking certain State roads,' approved March 7th, 1835." And,
 "A bill to divorce Samuel S. Stephens, and Margaret Stephens,
 from the bonds of matrimony.

An engrossed bill from the House of Representatives, declaring a
 certain county road a part of the state road.

Was read a third time—and,

On motion of Mr. Jones of Cooper,

It was laid on the table.

An engrossed bill from the House of Representatives to survey
 and mark out a state road from Paris, Monroe county, to the mouth
 of the Des Moines river,

Was read a third time and passed.

Ordered that the title thereof be,

"An act" &c. as aforesaid.

Mr. Jones of Cooper from the committee on Engrossed Bills, re-
 ported as truly engrossed.

"A bill to organize new counties herein named."

"An engrossed bill to organize new counties herein named."

Was read a third time and passed.

Ordered that the title thereof be,

"An act" &c. as aforesaid.

The President laid before the Senate the following communication
 from the commissioner of the Permanent Seat of Government.

CITY OF JEFFERSON,
 December 24, 1836. }

To the Honorable body of the Senate,

Of the State of Missouri:

In conformity to a resolution of your honorable body, requesting
 the commissioner of the Permanent Seat of Government, to state
 the probable amount for which the lots will sell, at six, twelve and
 eighteen months credit, in case there is an appropriation made for
 the building of a State House.

My opinion is if an appropriation be made, before any lots are
 sold, and the lots are sold, on a credit as above mentioned, they
 would sell for seventy-five thousand dollars.

I have the honor to be,

Very respectfully,

Your obedient servant,

LEWIS BOLTON,

Commissioner of the seat of Government.

Mr. Robison moved,

That the Senate adjourn until Tuesday morning. The question

On his motion,

Was determined in the negative as follows:

Ayes—Messrs. Dawson, Robison, and Williams—3

Nays—Messrs. Ashby, Byrd, Campbell, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lucas, McClelland, Montgomery, Sterigere, Thompson, Valle, Vanarsdall, Walsh and Weaver—16.

Absent as above.

Mr. Jones of Cooper offered the following:

Resolved, That a select committee be appointed for the purpose of inquiring and ascertaining upon what terms the state penitentiary can be leased, to some responsible person, for a term of six years, and make report to the Senate as soon as practicable.

Which was adopted. And

Messrs. Jones of Cooper, Campbell and Walsh, were appointed that committee.

Mr. Sterigere submitted the following joint resolution:

Resolved, By the Senate and House of Representatives, that the Secretary of State be and he is hereby authorized to contract for printing and binding twenty-five hundred copies of the laws passed at the present session of the General Assembly, and that the Secretary of the Senate furnish the Secretary of State with the copies of the proposals for printing said laws, which are now before the Senate

Which was read a first time and passed to a second reading.

Mr. Williams moved,

That the Senate adjourn until Monday morning,

Which was decided in the negative as follows:

Ayes—Messrs. Valle, Vanarsdall and Weaver.

Nays—Messrs. Ashby, Byrd, Campbell, Dawson, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lucas, McClelland, Montgomery, Sterigere, Thompson, Walsh and Williams—15.

Absent as above.

Engrossed bills from the House of Representatives, entitled:

“An act to organize the counties of Caldwell and Daviess.”

“An act to provide for fixing the permanent seat of Justice, in the county of Van Buren.”

“An act to establish an Academy in the town of Union.”

“An act to amend an act entitled, ‘an act respecting Attorney General and Circuit Attornies,’ approved January 5th, 1835.”

Were severally read a first time, and

Ordered to a second reading.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, a bill entitled,

An act amendatory to an act entitled, an act to incorporate a company to make a M^dAdamised road from the town of Caledonia, in Washington county to the Mississippi river, approved March 16, 1835.

On motion of Mr. Vanarsdall,

The Senate resolved itself into a committee of the Whole House, on the orders of the day, Mr. Vanarsdall in the chair, and after some time spent therein the committee rose and the chairman reported that the committee had considered,

T

"A bill to establish an Academy in Paris, Monroe county." And Had instructed him to report it to the Senate with an amendment.

The report of the Committee of the Whole was agreed to—and, The bill together with the amendment, were ordered to be engrossed and read a third time on Tuesday next.

On motion,
The Senate adjourned.

MONDAY, DECEMBER 26, 1836.

THE Senate met pursuant to adjournment.

Mr. Valle presented a petition of Wm. McCawley, collector of the county of Perry, for the year 1830, praying the remission of a penalty imposed on him, for a delinquency in the payment of the amount due the state from him as collector aforesaid, and that the same be refunded to him—which,

On his motion,

Was referred to the committee on Claims.

Mr. Vanarsdall asked and obtained leave of absence for Mr. McDaniel, from Friday last, which he had omitted to do at an earlier period.

Engrossed bills from the House of Representatives, entitled

"An act to organize the counties of Caldwell and Daviess."

"An act to provide for fixing the permanent seat of justice, in Van Buren county."

"An act to establish an Academy in the town of Union."

Were severally read a second time, and

Ordered to a third reading on to-morrow.

An engrossed bill from the House of Representatives to amend an act entitled

"An act respecting Attorney General and Circuit Attornies." Approved January 5; 1835,

Was read a second time, and

Committed to a committee of the Whole House.

"A bill amendatory of an act entitled 'an act for taking the census,'"

Was read a second time, and

Committed to a committee of the Whole House.

A joint resolution to authorize the Secretary of State to contract for the printing of the laws of the present General Assembly and requiring the Secretary of the Senate, to furnish him with a copy of the bids now before the Senate,

Was read a second time, and

On motion of Mr. Ashby,

It was laid on the table.

Mr. Jones of Cooper reported as truly engrossed,

"A bill to establish the Monroe Academy at Paris."

On motion of Mr. Jones of Cooper,

The Senate resolved itself into a committee of the Whole House on the orders of the day, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had considered

"An engrossed bill from the House of Representatives to legalize the sale of township school lands." Also

"A bill to amend an act respecting executors and administrators."

"A bill respecting chancery practice." And

"A bill to amend an act to regulate elections."

Each of which, the committee had instructed him to report without amendment.

On motion of Mr. Vanarsdall,

The report was laid on the table.

On motion,

The Senate adjourned,

TUESDAY, DECEMBER 27, 1836.

THE Senate met pursuant to adjournment.

Mr. Vanarsdall offered the following concurrent resolution:

Resolved, By the Senate, the House of Representatives concurring therein, that the joint committee to apportion the representation of this state, in accordance with the last census, be, and they are hereby instructed to inquire and ascertain, as far as practicable, what portion of the population of counties, organized previous to the taking of the last census, have been stricken off into counties that have been, or may at this session be organized, and to what counties they were attached at the time the census was taken, and that the committee report to the Houses respectively. Which

On motion of Mr. Jones of Cooper,

Was laid on the table.

Mr. Campbell offered the following:

Resolved, That the committee on the Seat of Government, be instructed to inquire into the expediency of conveying to the trustees of the city of Jefferson, not less than four nor more than ten suitable lots, in this city, to be used as public town squares, market lots, and school house lots.

Which was adopted.

Engrossed bills from the House of Representatives entitled

"An act to organize the counties of Caldwell and Daviess."

"An act to provide for fixing the permanent seat of justice in the county of Van Buren."

An act to establish an Academy in the town of Union."

Were severally read a third time and passed.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled,

"A bill for the relief of Wm. B. Napton."

"A bill to establish an Academy at the town of Paris, Monroe county," was taken up, and

Was read a third time.

Mr. Weaver moved,

To amend the bill by way of rider, by striking out the third section.

On motion of Mr. Ashby,

The bill and rider were laid on the table.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House, Mr. Sterigere in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered,

"A bill supplementary to an act to provide for taking the census."

"A bill to amend an act concerning Attorney General and Circuit Attornies," and

"And a bill to amend an act concerning mills and mill-dams." And

Had instructed him to report the first mentioned bill with an amendment—and each of the other two without amendment.

Mr. Lucas moved,

To consider the report in relation to each of the several bills, separately,

Which was agreed to.

The report of the committee, in relation to

"A bill amendatory to an act, entitled 'an act for taking the census'"

Was agreed to, and the bill was

Ordered to be engrossed and read a third time to-morrow.

The report in relation to

"A bill to amend 'an act concerning mills, and mill-dams.'" "

Was also agreed to, and the bill was

Ordered to be engrossed and read a third time to-morrow.

The report of the committee in relation to an engrossed bill from the House of Representatives entitled

"An act to amend an act entitled 'an act respecting Attorney General and Circuit Attornies,'" was taken up.

Mr. Sterigere moved,

To recommit the bill to a committee of the Whole House.

Which was decided in the negative.

The question recurred on ordering the bill to a third reading.

Mr. Dawson moved,

The indefinite postponement of the bill.

On his motion,

The question was decided in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Jones of Pike and Lucas—4.

Nays—Messrs. Ashby, Byrd, Deguire, Goforth, Jones of Cooper,

McClelland, Sterigere, Vålle, Vanarsdall, Weaver and Williams—12.

Messrs. Lee, McDaniel, Rawlins and Smith absent with leave.

Messrs. Gorham, Robison and Walsh absent.

Mr. Vanarsdall moved

To amend the report of the committee as follows:

Strike out the second, third, fourth, fifth and sixth sections, and the first line of the seventh section to the word "shall," and insert in lieu thereof

SECTION 2. The Governor of this state, shall on the first day of December 1838, and on the same date, every four years thereafter, nominate and appoint, by and with the advice and consent of the Senate, one suitable person as Prosecuting Attorney, for each judicial circuit of this state.

SECTION 3. If the Senate advise and consent to the nomination of the Governor, in the appointment of said person, the Governor shall issue a commission for the person so appointed, who shall be so qualified as other state officers are, and continue in office until his successor is duly appointed and qualified.

SECTION 4. The Circuit Attornies shall receive the same compensation and fees as are now fixed by law.

The question, shall the amendment be adopted?

Was decided in the negative, and the bill

Was ordered to a third reading.

On motion of Mr. Jones of Cooper,

The report of the committee of the Whole House which was laid on the table on yesterday, was taken up, and

The report in relation to an engrossed bill from the House of Representatives,

"To legalize the sale of township school lands," and also

"A bill to amend an act to regulate elections,"

Was agreed to—and the bill first mentioned

Was ordered to a third reading on to-morrow.

The other together with the amendments thereto,

Was ordered to be engrossed and read a third time to-morrow.

The report of the committee of the Whole, in relation to

"A bill to amend an act respecting executors and admintstrators,"

Was taken up, and

The bill was referred to the committee on Civil Judicature.

The report in relation to

"A bill respecting Chancery practice,"

Was agreed to, and

The bill was ordered to be engrossed and read a third time to-morrow.

On motion of Mr. Vanarsdall,

The committee of the Whole was discharged from the further consideration of

"A bill supplementary to an act entitled 'an act respecting executors and administrators,' " and it

Was referred to the committee on Civil Judicature.

"A bill to establish an Academy at Paris, Monroe county,"

On motion of Mr. Vanarsdall,

Was taken up, and the ryder to strike out the third section, (which was offered by Mr. Weaver,) was rejected and the bill passed.

Ordered that the title be

"An act" &c. as aforesaid.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 28, 1836.

THE Senate met pursuant to adjournment.

Mr. Smith appeared and took his seat.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, bills entitled,

"An act for the relief of Anderson Martin, late collector of Ray county," and

"An act to authorize the State Treasurer to receive the surplus revenue."

Mr. Jones of Cooper from the committee on Engrossed bills, reported as truly engrossed,

"A bill amendatory to an act entitled an act for taking the census." And,

"An act to amend an act concerning mills and mill-dams."

On motion of Mr. Sterigere,

The committee of the Whole was discharged from the further consideration of a bill from the House of Representatives, entitled,

"An act supplementary to an act entitled, 'an act to regulate the sale of the sixteenth sections, and to provide for organizing, regulating and perpetuating common schools.'" And,

It was laid on the table.

An engrossed bill from the House of Representatives entitled,

"An act to legalize the sales of township school lands."

Was read a third time and passed.

An engrossed bill from the House of Representatives entitled,

"An act to amend an act respecting Attorney General and Circuit Attornies."

Was read a third time.

The question shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, Jones of Cooper, McClelland, Montgomery, Smith, Sterigere, Valle, Weaver and Williams—12.

Nays—Messrs. Campbell, Dawson, Jones of Pike, Lucas, Vanarsdall and Walsh—6.

Messrs. Lee, Rawlins and McDaniel absent with leave.

Messrs. Gorham and Thompson absent.

"A bill to amend an act concerning mills and mill-dams."

Was read a third time.

The question shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lucas, Montgomery, Sterigere, Smith, Valle, Vanarsdall, Walsh and Williams—17.

Nays—Messrs. Byrd and McClelland—2.

Messrs. Lee, McDaniel and Rawlins, absent with leave.

Messrs. Robison and Thompson, absent.

Ordered that the title of the bill be,

"An act" &c. as aforesaid.

"A bill to amend an act for taking the census."

Was read a third time and passed.

Ordered that the title thereof be,

"An act" &c. as aforesaid.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed bills entitled,

"An act to define the boundaries of the county of Shannon."

"An act supplementary to an act entitled 'an act to provide for surveying and marking out certain state roads,' approved March 7th, 1835." And

"A bill from the Senate entitled, 'an act amendatory to an act, approved March 7th, 1835, concerning strays,' with an amendment."

All of which are herewith submitted for the action of the Senate.

There have been introduced into the House of Representatives, bills entitled,

"A bill amendatory to an act entitled, 'an act to incorporate the inhabitants of the town of St. Louis.'" "

"A bill supplementary and amendatory to an act entitled, 'an act to authorize the sale of the St. Louis' common."

"A bill providing for the pay of Grand Jurors in the county of Gasconade."

"A bill concerning traders and pedlers in flat-boats."

"A bill to appropriate a sum of money for the purpose of completing the road across the big swamp, on the line between the counties of Cape Girardeau and Scott." And,

"A bill to incorporate the Missouri College."

The Speaker of the House has signed bills entitled,

"An act for the relief of William B. Napton." And,

"An act amendatory to an act entitled, 'an act to incorporate a company to make a McAdamized road from the town of Caledonia, in Washington county to the Mississippi river,' approved March 16th 1835."

Which are herewith submitted for your signature.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Mr. Jones of Cooper from the committee on engrossed bills, reported as truly engrossed,

“A bill respecting chancery practice.” And,

“A bill to amend an act to regulate elections.”

Which were severally read a third time and passed.

Ordered that the title of each be,

“An act” &c, as aforesaid.

On motion of Mr. Sterigere,

A joint resolution to authorize the Secretary of State to contract for printing the laws passed at the present session was taken up, and after some debating about the propriety of its adoption —was,

On his motion,

Laid on the table.

The amendments made by the House of Representatives to the bill from the Senate, amendatory to,

“An act concerning strays.”

Were considered and concurred in by the Senate.

Engrossed bills from the House of Representatives entitled,

“An act supplemental to an act entitled, ‘An act to provide for surveying and marking out certain state roads,’ approved March 7th, 1835.” And,

“An act to define the boundaries of Shannon county.”

Were severally read a first time, and

They passed to a second reading.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
December 28, 1836. }

To the Senate of Missouri:

GENTLEMEN:—The bill for the relief of Joseph McCarty is herewith returned to the Senate, in which body it originated, with my objections. Regarding it as inconsistent, in my opinion, with the constitution.

The second article of the constitution provides, that the powers of Government shall be divided into three distinct departments, each, of which shall be confided to a separate magistracy, and no person, charged with the exercise of powers, properly belonging to one of those departments, shall exercise any power, properly belonging to either of the others, excepts in instances hereinafter expressly directed or permitted. There has been much difficulty as well as diversity of opinion, in the construction of this clause of our constitution, some contending that it is merely a declaration of an abstract principle, proper to constitute a guide in the formation of a repre-

sentative republican government, and others in giving it the force and effect which its position in the body of the constitution would seem to entitle it. To determine what powers properly belong to either department, has also been a perplexing question, and one which necessarily arises on this clause, in cases where the constitution itself is silent. The present case, however, is one *expressly* provided for in the constitution. The sixth section of the fourth article says, "that the Governor shall have power to remit fines and forfeitures, and except in cases of impeachment, to grant reprieves and pardons." The power of reprieves and pardons is there expressly allotted to the Executive. That the disabilities intended to be removed by the act in question, though expressed by the words, "forfeitures and penalties," are in fact, such as would be within an executive pardon, is evident, not only by the common law signification of the term "pardon", but by the legislative interpretation that has been put on it.

The twenty-third section of article ninth of the act concerning crimes and punishments provides, when any person shall be sentenced upon a conviction of any offence, and is thereby, according to the provisions of the act, disqualified to be sworn as a witness or juror in any cause, or to vote at any election, or to hold any office of honor, profit or trust within this state, such disabilities may be removed by a *pardon* by the Governor, or by an act of the legislature and not otherwise, except in the case in the next section specified.

By the common law of England, the King's pardon removed every disability, which was a consequence of the conviction or punishment for an offence. It is true, that the power was restricted by an act of parliament, and the King was, by construction given by the courts, prohibited from the exercise of his pardoning prerogative, in cases where the disability was an express part of the judgment, but the reason of these decisions does not seem to be applicable here, where the constitution and not the acts of the legislature, are to be looked to, for ascertaining the powers of each department. These statutory disabilities are, in truth, the only disabilities known to our laws, and if the Executive had not a right to remove them by pardon, his power of pardon could not extend to any disability. The parliament of Great Britain is omnipotent in that country, and has the same power, in fixing limits to the various departments of government, that is reserved by the people of this state to be exercised in convention, and which has been exercised in the formation of the state constitution.

That charter has affixed no limits to the Executive power of pardons, except in cases of impeachment. It has not limited it to the dispensing of corporeal punishment, merely, but has used the term in its unrestricted and general sense, as known and interpreted by the common law, which is adopted, so far as it is applicable to our situation.

If then, the power of removing disabilities, is given by the con-

stitution to the Executive department, the legislature can no more take away, or limit, or define, by resolution, or otherwise declare that certain corporeal punishments, such as imprisonments, should not be dispensed with, except by act of the legislature. This, it seems clearly, they could not do; and if the removal of disabilities is the proper subject of a pardon, it is equally clear, that the Executive only, can grant that pardon and remove those disabilities.

Most respectfully,

LILBURN W. BOGGS.

On motion of Mr. Sterigere,

The bill and communication were laid on the table.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had presented to the Governor, bills of the following titles, viz:

"An act for the relief of William B. Napton."

"An act supplementary to an act entitled 'an act to incorporate a company to make a M^d Adamised road from the town of Caledonia, in Washington county, to the Mississippi river.'" Approved March 16, 1835.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 29, 1836.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, bills entitled

"An act to provide for fixing the permanent seat of justice in the county of Van Buren."

"An act for surveying and marking out a state road from Paris, Monroe county, to the mouth of the Des Moines river."

"An act to organize the counties of Caldwell and Daviess," and

"An act to establish an Academy in the town of Union."

Mr. Goforth from the committee on Claims, submitted the following report.

The committee on Claims to whom was referred the petition of P. J. Verheagen, president of the St. Louis University, praying to have certain monies refunded, which were paid by him as state tax on said University, have had the same under consideration, and have instructed me to make the following report:

Your committee have called on the Auditor of Public Accounts, who examined the tax-books of St. Louis county, for the different years named in the petition, but was unable to find any charge against said institution for taxes. The committee know of no other source of information, and therefore, ask to be discharged from

the further consideration of the subject.

The same committee have also had under consideration the petition of William McCawley, late collector of Perry county, and have instructed me to report, that they have no evidence before them in relation to this claim, upon which they can act, and therefore, they ask leave to be discharged from the further consideration of the subject.

The report was agreed to and the committee discharged from the further consideration of the subjects to which it relates.

Mr. Ashby gave notice that, on Monday next, he would ask leave to introduce a bill to legalize the proceedings of commissioners of seats of justice and others therein named.

An engrossed bill from the House of Representatives entitled,
 "An act supplemental to an act entitled 'an act to provide for surveying and marking out certain state roads.'"

Was read a second time—and,

It passed to a third reading.

An engrossed bill from the House of Representatives entitled,
 "An act to define the boundary of Shannon county."

Was read a second time—and,

On motion of Mr. Vanarsdall,

Was committed to a committee of the Whole House.

On motion of Mr. Ashby,

The Senate resolved itself into a committee of the Whole House, Mr. McClelland in the chair, and after some time spent therein the committee rose and the chairman reported, that the committee had considered,

"A bill to amend an act to regulate fees." Also,

"A bill to authorize James and Francis Pritchett, to convey certain lands." And,

Had instructed him to report the first mentioned bill with an amendment, and to recommend to the Senate to strike out of the second, the first section, together with the enacting clause.

The Senate agreed to the report of the committee of the Whole House.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There has been introduced into the House of Representatives

"A bill providing for a call of a convention."

The house have passed a bill entitled,

"An act to refund fines and forfeitures in certain cases." And,

Have concurred in the passage of bills from the Senate entitled,

"An act to provide for the encouragement of agriculture."

"An act to fix the compensation of Justices of the County Courts and their fees." And,

"An act to charter the Missouri Iron Company."

With amendments to the two last mentioned bills.

In which amendments, the concurrence of the Senate is requested.

The Speaker of the House has signed bills entitled,

An act for the relief of Anderson Martin, late collector of Ray county."

"An act to authorise the State Treasurer to receive the surplus revenue."

"An act amendatory to an act approved March 7th, 1835, concerning strays."

"An act to provide for fixing the permanent seat of Justice in the county of Van Buren."

"An act to survey and mark out a state road from Paris, in Monroe county, to the Mouth of the Des Moines river."

"An act to organize the counties of Caldwell and Daviess." And,

"An act to establish an Academy in the town of Union."

All of which are herewith submitted for your signature.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Mr. Montgomery from the joint committee on Enrolled bills reported, that the committee had presented to the Governor for his approval, bills entitled,

"An act to authorize the State Treasurer to receive the surplus revenue."

"An act to provide for fixing the permanent seat of Justice in the county of Van Buren."

"An act to establish an Academy in the town of Union."

"An act to organize the counties of Caldwell and Daviess."

"An act to survey and mark out a state road from Paris, in Monroe county, to the mouth of the Des Moines river."

"An act amendatory to an act approved March 7th, 1835, concerning strays." And,

"An act for the relief of Anderson Martin, late collector of Ray county."

"A bill to amend an act to regulate the fees of the clerks of the County courts."

Was taken up—and,

Ordered to be engrossed and read a third time to-morrow.

Mr. Gorham from the joint committee on Enrolled bills, reported as truly enrolled, a bill entitled,

"An act, approved March the 7th, 1835, concerning strays."

The President laid before the Senate the following communications from the Governor.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
December 28th, 1836. }

To the honorable the Senate of Missouri:

GENTLEMEN—I have this day approved and signed a bill entitled;

“An act supplementary to an act entitled ‘an act to incorporate a company to make a McAdamized road from the town of Caledonia, in Washington county, to the Mississippi river,’ approved March 16th, 1835.

I have the honor to be, with high respect, your ob’t serv’t,
LILBURN W. BOGGS.

Mr. Sterigere from the select committee to whom was referred a petition of divers inhabitants of Township forty-one, north, in range one east, in the county of Franklin, praying to be incorporated into a school district reported,

“A bill to incorporate the Merrimac Academy, and for other purposes.”

On his motion

The rule requiring bills to be read on three several days was dispensed with—and,

The bill read a second time—and,

On motion of Mr. Thompson,

Was committed to a committee of the Whole House.

On motion of Mr. Campbell,

The vote of the Senate, by which that part of the report of the committee on claims, which related to the petition of P. J. Verheagen, president of the St. Louis University was agreed to, was reconsidered—and,

On motion of Mr. Valle,

The petition was recommitted to a select committee.

Messrs. Campbell, Jones of Cooper, Ashby and Valle, were appointed that committee.

On motion—

The Senate adjourned.

FRIDAY, DECEMBER 30, 1836.

The Senate met pursuant to adjournment.

Mr. Rawlins appeared and took his seat.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
December 29th, 1836. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed a bill entitled,
“An act amendatory to an act approved 7th March, 1835, concerning Strays.

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

The President also laid before the Senate a communication from John Walker and Peter G. Glover, made by them in conformity with a resolution of the Senate requiring of them to lay before that body a copy of the minutes required by law to be kept by them as inspectors of the Penitentiary,

Which was read, and

On motion of Mr. Ashby,

Referred to the committee on the penitentiary. Also,

On his motion,

The Senate ordered that the Secretary dispense with the spreading of the above communication upon the journals.

Mr. Jones of Cooper from the committee on engrossed bills, reported as truly engrossed,

"A bill to amend an act to regulate fees."

Which was read a third time.

Mr. Weaver moved

To amend the bill by way of ryder, by striking out of the first section the words "for filling each paper three cents,"

Which was read a first time.

Mr. Smith moved

To amend the ryder by adding in the bill, after the words "for filling each paper," *six cents*,

Which was read a first time and rejected.

The ryder which was offered by Mr. Weaver,

Was read a second time,

The question shall the ryder be engrossed and read a third time?

Was decided in the negative.

Mr. Campbell moved

To amend by way of ryder, by adding as a third section,

"Every clerk of the Circuit Court, for every search of record, six cents."

Which was read a first time,

No objections being made, the ryder was read a second time—and,

Was considered as engrossed and was read a third time—and,

The bill together with the ryder passed.

Ordered that the title be,

"An act" &c. as aforesaid.

Mr. Montgomery from the joint committee on Enrolled bills, reported as truly enrolled, bills entitled,

"An act to amend an act entitled 'an act respecting attorney general and circuit attornies,' approved January 5th, 1835." And,

"A bill entitled 'an act to legalize the sales of township school lands.'"

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives, bills entitled

"A bill for the relief of Daniel Dorem, deceased."

"A bill to incorporate the St. Louis chamber of commerce."

"A bill to incorporate the Washington county Mining Company."

"A bill to provide for opening public roads and highways."

"A bill to incorporate the St. Louis and Fayette rail road company."

"A bill to prevent foreign banking companies from setting up agencies or transacting banking business within the limits of this State." And,

"A bill to establish judicial districts and circuits, and prescribe the times and places of holding courts."

The House have rejected a bill to divorce Samuel S. Stephens and Margaret Stephens from the bonds of matrimony; by them contracted, and they have postponed indefinitely a bill from the Senate entitled,

"An act supplementary to an act entitled 'an act concerning inquests.'"

The House have concurred in the passage of bills from the Senate entitled,

"An act declaring certain county roads a state road."

"An act to incorporate the Upper Mississippi Insurance company."

Which are herewith returned.

The House has passed a bill entitled,

"An act to attach certain territory to the counties of Clay and Clinton."

Which is herewith submitted for the action of the Senate.

The Speaker of the House has signed Enrolled bills entitled,

"An act to amend an act entitled 'an act respecting the Attorney General and Circuit Attornies,'" approved January 5, 1835; and,

"An act to legalize the sale of township school lands."

Which are herewith submitted for the signature of the President of the Senate.

The president signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

An engrossed bill from the House of Representatives, entitled,

"An act supplementary to an act, for surveying and marking out certain state roads. Approved, March 7, 1835,

Was read a third time and passed.

The amendments made by the House of Representatives, to a bill from the Senate, entitled,

"An act to incorporate the Missouri Iron Company,

Were taken up, and agreed to by the Senate.

The amendments made by the House, to a bill from the Senate, entitled,

"An act to fix the compensation of justices of the county courts, and their fees,"

Were taken up.

Mr. Ashby moved,

To disagree to the first amendment, which anthorized the justices of the county court of the county of St. Louis, to receive three dollars per day for their services;

Which was decided in the negative:

And the amendments were agreed to.

Engrossed bills from the House of Representatives, entitled,

"An act to refund fines and forfeitures," and,

"An act to attach a certain territory to Clay and Clinton counties,"

Were severally read a first time, and

They passed to a second reading.

On motion of Mr. Byrd,

The Senate resolved itself into a committee of the Whole House, Mr. Jones of Pike, in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered,

"A bill to incorporate the Merrimac Academy, and for other purposes;" and had instructed him to report it with an amendment, and

"A bill to pay jurors," and had instructed him to recommend to the Senate, to strike out the first section, together with the enacting clause thereof.

The report of the committee, so far as related to the first mentioned bill, was agreed to: and,

The bill was ordered to be engrossed, and read a third time tomorrow.

Mr. Lucas moved,

That the Senate disagree to the residue of the report, and called for the ayes and nays.

On his motion,

The question was determined in the affirmative, as follows:

Ayes.—Messrs. Campbell, Dawson, Deguire, Goforth, Jones of Pike, Lucas, Rawlins, Smith, Sterigere, Valle, Vanarsdall, Walsh and Williams,—13.

Nays.—Messrs. Ashby, Byrd, Gorham, Jones of Cooper, McClelland, Montgomery, Thompson and Weaver,—8.

On motion of Mr. Lucas,

The report of the committee of the Whole, together with the bill, Was laid on the table.

Mr. Campbell from the committee on Civil Judicature, submitted the following report:

The committee on Civil Judicature, respectfully report, that they have considered a resolution, directing them to inquire into the expediency of altering our present laws respecting county courts, so as to have but one county court judge, instead of three, and to provide for such judge, a more liberal compensation than is now given to county court judges by law. And said committee are of opinion, that it is inexpedient to make the change in our laws, that is proposed in said resolution.

Mr. Montgomery from the joint committee on Enrolled bills, reported that said committee had presented to the Governor for his approval, bills entitled,

“An act to legalize the sales of township school lands.” And,

“An act to amend an act entitled ‘an act respecting attorney general and circuit attorneys,’” approved January 5th, 1835.

Mr. Montgomery from the same committee also reported as truly enrolled a bill entitled,

“An act providing for the encouragement of agriculture.”

Mr. Williams presented a petition of J. H. Birch, proposing to build a house suitable for a state capitol, to be worth seventy-five thousand dollars, on condition, that, when the same was completed the state would convey to him all the public property in the City of Jefferson, which belongs to the state, except the capitol square and the Penitentiary, and give him a lease on the Penitentiary for five years, including the labor of the convicts. Which,

On motion of Mr. Ashby,

Was referred to the committee on the Permanent Seat of Government.

Mr. Campbell from the committee on Civil Judicature, to which was referred two bills amendatory of an act respecting executors and administrators, reported a bill embodying the substance of both entitled,

“A bill to amend an act respecting Executors and Administrators.”

Which was read a second time—and,

Ordered to be engrossed and read a third time to-morrow.

On motion

The Senate adjourned.

SATURDAY, DECEMBER 31, 1836.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, a bill entitled,

“An act to charter the Missouri Iron Company.”

Mr. Jones of Cooper from the committee on Engrossed bills, reported as truly engrossed,

“A bill to incorporate the Merrimac Academy and for other purposes.” And,

“A bill respecting Executors and Administrators.”

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives

“An amendment to the second section of the third article of the constitution of this State, proposing to abolish that part which pro-

vides, that each county shall have at least one representative. And,
 "A bill to amend an act respecting constables."

The House have passed bills entitled,

"An act to survey and mark out a state road from Elkhorn, by Plattsburg to the western boundary line."

"An act supplementary to an act concerning patrols."

"An act to incorporate the Missouri College." And,

"An act to license traders and pedlers, descending or ascending the Mississippi and other rivers in this State.

All of which are herewith submitted for the action of the Senate.

The House have concurred in the passage of bills from the Senate entitled,

"An act to establish the Monroe Academy at Paris."

"An act amendatory to an act entitled, 'an act for taking the census.'"

"An act respecting chancery practice."

"An act to organize new counties therein named." And,

"A joint resolution to allow collectors six and one fourth cents for each hundred words for making out their abstracts, which they are required by law to return to the Auditor of public accounts."

With amendments to the two last mentioned, in which the concurrence of the Senate is requested.

The Speaker of the House has signed a bill entitled,

"An act providing for the encouragement of agriculture."

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and it was delivered to the committee on Enrolled bills to be presented to the Governor for his approval and signature.

Mr. Weaver gave notice that he would on Monday next, ask leave to introduce a bill to pay the overseer and hands for labor done on a state road, which runs through the county of Greene.

Mr. Valle gave notice that he would, on Tuesday next, ask leave to introduce a bill to incorporate a company to make a rail road from Mine a' Lamotte to the Mississippi river.

An engrossed bill from the House of Representatives to refund fines and forfeitures, in certain cases,

Was read a second time—and,

On motion of Mr. Sterigere,

Was committed to a committee of the Whole House.

"An engrossed bill from the House of Representatives to attach a certain territory to Clay and Clinton counties,

Was read a second time—and,

Was also committed to a committee of the Whole House.

A bill to amend an act respecting executors and administrators,

Was read a third time and passed.

Ordered that the title thereof be,

"An act" &c. as aforesaid.

A bill to incorporate the Merrimac Academy, was read a third time.

The question shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Goforth, Gorham, Jones of Pike, Lucas, McClelland, Montgomery, Rawlins, Smith, Sterigere, Thompson, Valle, Walsh, Weaver and Williams—18.

Nays—Mr. Vanarsdall—1.

Messrs. Lee and McDaniel absent with leave.

Messrs. Deguire and Robison absent.

Ordered that the title be,

"An act" &c. as aforesaid.

On motion of Mr. Montgomery,

"A bill to establish the permanent seat of justice of the county of Benton,

Was taken up—and,

Was read a second time and ordered to be engrossed—and,

It passed to a third reading.

Engrossed bills from the House of Representatives entitled,

"An act to incorporate the Missouri College."

"An act supplementary to an act concerning patrols."

"An act concerning traders and pedlers on flat-boats."

"An act to survey and mark out a state road from Elkhorn, by Plattsburg, to the state line,"

Were severally read a first time—and,

They passed to a second reading.

On motion of Mr. Smith,

A bill to repeal a part of an act concerning crimes and their punishments,

Was taken up—and,

He offered as a substitute for the bill,

"A bill to amend an act regulating marriages."

Which was read—and,

After some debating about the merits of the bill—it was,

On motion of Mr. Ashby,

Laid on the table.

Mr. Campbell asked and obtained leave to introduce a bill to amend an act to provide for the recovery of debts by attachment.

Which was read a first time—and,

It passed to a second reading.

On motion of Mr. Ashby,

The amendments made by the House of Representatives, to a bill from the Senate, entitled,

"An act to organize new counties therein named."

Were taken up and considered—and,

On his motion,

The Senate disagreed to so much of said amendments, as proposed to strike out of the bill the words "Orange" and "Jasper," (the

names of the counties proposed thereby to be organized) wherever they occur, as well in the title as in the body of said bill, and insert in lieu the words *Livingston* and *Taney*.

On Motion of Mr. Ashby,

The amendments made by the House to a joint resolution from the Senate, to allow collectors six and one fourth cents per hundred words, for making out the abstracts which they return to the Auditor of public accounts,

Were considered and agreed to by the Senate.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The Speaker of the House of Representatives has this day signed an enrolled bill entitled,

“An act to charter the Missouri Iron Company.”

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and it was delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

On motion of Mr. Weaver,

The Senate resolved itself into a committee of the Whole House, Mr. Sterigere in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered,

“A bill to attach a certain territory to the counties of Clay and Clinton.” And,

“An act to refund fines and forfeitures in certain cases.”

Each of which he had been instructed to report without amendment.

The Senate agreed to the report of the committee in relation to the bill first mentioned in the report—and,

The bill was ordered to be read a third time on Monday next.

On motion of Mr. Lucas,

The report in relation to the other bill was laid on the table.

On motion of Mr. Lucas,

The committee of the Whole was discharged from the further consideration of a bill respecting the penitentiary. And,

It was ordered to be printed.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, bills entitled,

“An act to fix the compensation of justices of the county courts and their fees.”

“An act declaring certain county roads a state road.” And,

“An act to incorporate the Upper Mississippi Insurance company.”

Mr. Montgomery from the same committee, submitted the following report:

The joint committee on Enrolled Bills have presented to the Gov-

ernor for his approval, a bill entitled,

“An act providing for the encouragement of agriculture.”

—On motion,

The Senate adjourned until Monday morning.

9 MONDAY, JANUARY 2, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives bills entitled,

“A bill allowing additional fees to the clerk of St. Louis county.”

“A bill for the relief of the Circuit and County Courts of Carroll county.”

“A bill to appropriate money to improve the navigation of the Gasconade river.”

“A bill for the relief of persons and their children, who have heretofore, or may hereafter be divorced by the Legislature.”

“A bill to define the jurisdiction of Courts of Chancery, in certain cases.”

“A resolution for the relief of C. J. Drury.” And,

“A proposition to amend the thirteenth section of the fifth article of the constitution of this state.”

The House have passed bills entitled,

“An act to incorporate the Washington county mining company.”

“An act for the relief of Daniel Dorem deceased.” And,

“An act to incorporate the St. Louis Chamber of Commerce.”

Which are herewith submitted for the action of the Senate.

The Speaker of the House has signed bills entitled,

“An act to fix the compensation of justices of the county courts, and their fees.”

“An act declaring certain county roads a state road.” And,

“An act to incorporate the Upper Mississippi Insurance company.”

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled bills to be presented to the Governor for his approval and signature.

Mr. Thompson from the joint select committee appointed to fix the apportionment of representation among the several counties and senatorial districts reported,

“A bill on apportionment.”

Which was read a first time—and,

On motion of Mr. Sterigere,
Was ordered to be printed, and
It passed to a second reading.

Mr. Campbell from the committee on Engrossed bills, reported as truly engrossed,

"A bill to establish the permanent seat of justice for the county of Benton."

Mr. Montgomery from the joint committee on Enrolled bills, reported, that the committee had examined and found truly enrolled, bills entitled,

"An act to establish an Academy in the town of Paris, Monroe county."

"An act supplementary to an act for taking the census."

"An act respecting chancery practice."

"An act amendatory to an act entitled, 'an act to provide for surveying and marking out certain state roads,'" approved March 7th, 1835. And,

"A joint resolution to allow collectors pay for making out abstracts of the taxable property of non-residents."

Engrossed bills from the House of Representatives entitled,

"An act for surveying and marking out a state road from Elkhorn, by Plattsburg, to the western boundary line."

"A bill concerning traders and pedlers on flat-boats on the Mississippi and other rivers."

"A bill supplementary to an act concerning patrols."

"A bill to incorporate the Missouri College."

Were severally read a second time—and,

Committed to a committee of the Whole House.

"A bill to amend an act entitled 'an act to collect debts by attachment.'" "

Was read a second time, and

Committed to a committee of the Whole House.

"A bill to establish the permanent seat of justice in the county of Benton." And,

"An engrossed bill from the House of Representatives entitled 'an act to attach certain territory to the counties of Clay and Clinton.'" "

Were each read a third time and passed.

Ordered that the title of the first be,

"An act" &c. as aforesaid.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House, Mr. Rawlins in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered,

"A bill to amend an act to provide for the recovery of debts by attachment." And,

A bill from the House of Representatives entitled,

"An act for surveying and marking out a state road from Elkhorn,

by Plattsburg, to the western boundary line."

Each of which he had been instructed to report without amendment. Also,

Bills from the House of Representatives entitled,

"An act to define the boundaries of Shannon county."

"An act supplementary to an act concerning patrols."

The first mentioned of which he was instructed to report with an amendment and to recommend to the Senate to strike out of the last mentioned bill the first section together with the enacting clause.

Also,

A bill from the House of Representatives to incorporate the Missouri College.

Which he was instructed to report, with an amendment.

The Senate agreed to the report of the committee of the Whole, in relation to the bill to amend an act to provide for the recovery of debts by attachment, and,

It was ordered to be engrossed, and passed to a third reading.

The report in relation to a bill to mark out a state road, from Elkhorn by Plattsburg, to the western boundary line, and also, in relation to the bill supplementary to an act concerning patrols,

Was laid on the table.

The report in relation to bills from the House of Representatives, to define the boundaries of Shannon county, and to a bill to incorporate the Missouri College,

Was agreed to, and

The amendments of each, were ordered to be engrossed, and

They were severally ordered to a third reading on to-morrow.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The Speaker of the House of Representatives has this day signed enrolled bills entitled,

"An act to establish an Academy in the town of Paris, Monroe county."

"An act supplementary to an act to provide for taking the census."

"An act respecting Chancery practice,"

"An act amendatory to an act entitled 'an act for surveying and marking out certain state roads: approved, March 7, 1835. And

"A joint resolution to allow collectors pay for making out abstracts of the taxable property of non-residents.

All of which are herewith submitted for the signature of the president of the Senate.

The president signed said bills and they were delivered to the committee on enrolled bills, to be presented to the Governor, for his approval and signature.

On motion,

The Senate adjourned,

TUESDAY, JANUARY 3, 1837.

THE Senate met pursuant to adjournment.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
December 31, 1836. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

“An act to charter the Missouri Iron Company, and,

“An act providing for the encouragement of agriculture.”

Most respectfully,

Your obedient serv't.

LILBURN W. BOGGS.

Mr. Sterigere presented a petition of James McCuistion, collector of the county of Jefferson, for the year 1834, praying the passage of an act to relieve him from the payment of a penalty, imposed on him by the Auditor of public accounts, for failing to pay the state the amount due the state, from him as collector aforesaid, within the time prescribed by law, and to allow him compensation for collecting said revenue, which

On his motion,

Was referred to the committee on Claims.

Mr. Campbell from the committee on Engrossed Bills, reported, as truly engrossed,

“A bill to amend an act to provide for the recovery of debts by attachment, also,

Amendments to bills, from the House of Representatives, entitled,

“An act to incorporate the Missouri College,” and,

“An act to define the boundaries of Shannon county.”

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled,

“A bill entitled ‘an act to attach certain territory to the counties of Clay and Clinton, for civil and military purposes,’”

Mr. Valle pursuant to notice asked and obtained leave to introduce, a bill to incorporate the Mine a'La Motte and Mississippi rail road company,

Which was read a first time, and

It passed to a second reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills, entitled,

"A bill to incorporate the Rocheport rail road company."

"A memorial to Congress on the subject of improving the navigation of Grand river."

"A bill to incorporate the St. Louis Gaslight company." And,

"A memorial to Congress relating to pre-emption rights to settlers on and adjoining to French and Spanish grants."

I am instructed to inform the Senate that the House insist on their amendments to a bill from the Senate entitled,

"An act to organize counties therein named," to which the Senate disagreed.

The bill and amendments are herewith returned.

On motion of Mr. Ashby,

The report of the committee of the Whole in relation to a bill entitled,

"An act supplementary to an act concerning patrols,"

Was taken up and disagreed to—and,

The bill was ordered to be read a third time on to-morrow.

Mr. Ashby pursuant to notice obtained leave and introduced,

"A bill to legalize the acts of county courts, commissioners of county seats and commissioners of county buildings."

Which was read a first time—and,

It passed to a second reading.

"A bill to recover debts by attachment."

Was read a third time and passed.

Ordered that the title be,

"An act" &c. as aforesaid.

Engrossed amendments to a bill from the House of Representatives to incorporate the Missouri College.

Were read a third time.

Mr. Campbell moved

To amend the bill by way of ryder, by striking out of the title the word "Missouri" and insert *Kemper*,

Which was read a first time,

No objections being made, the ryder was read a second time—and,

Was considered as engrossed and was read a third time—and,

The bill and amendments together with the ryder passed.

Engrossed amendments to a bill from the House of Representatives entitled,

"An act to define the boundary of Shannon county."

Were read a third time—and,

The amendments together with the bill passed.

On motion of Mr. Ashby

The Senate reconsidered the amendments proposed by the House of Representatives to a bill from the Senate entitled,

"An act to organize new counties therein named." And to which the Senate had disagreed.

Mr. Ashby moved

W

That the Senate recede from their disagreement to said amendments,

Which was determined in the affirmative as follows:

Ayes—Messrs Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, McClelland, Montgomery, Rawlins, Smith, Sterigere, Vanarsdall, Walsh, Weaver and Williams—15.

Nays—Messrs. Dawson, Lucas and Thompson—3.

Messrs. Lee and McDaniel absent with leave.

Messrs. Jones of Cooper, Jones of Pike, Robison and Valle absent.

Engrossed bills from the House of Representatives entitled,

“An act for the relief of the heirs of Daniel Doren deceased.”

“An act to incorporate the Washington county mining company.”

And,

“An act to incorporate the St. Louis chamber of commerce,”

Were severally read a first time—and,

They passed to a second reading.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 2nd, 1837. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed bills of the following titles, to wit:

“An act to incorporate the Upper Mississippi Insurance company.”

“An act declaring certain county roads a part of the State road,”

“An act for the compensation of justices of the county courts and their fees.”

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

Mr. Montgomery from the joint committee on Enrolled bills reported, that the committee had presented to the Governor for his approval, bills of the following titles, to wit:

“An act to incorporate the Upper Mississippi Insurance company.”

“An act declaring certain county roads a state road.”

“An act to fix the compensation of justices of the county courts and their fees.”

“An act amendatory of an act entitled ‘an act for taking the census.’”

“An act to establish an Academy in the town of Paris, Monroe county.”

“An act respecting chancery practice.”

“An act supplementary to an act entitled ‘an act to provide for marking out certain state roads,’” approved March 7th, 1835. And

“A joint resolution to amend the law to provide for levying, assessing and collecting the revenue.”

On motion of Mr. Ashby

The Senate resolved itself into a committee of the Whole House, Mr. Montgomery in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered a bill from the House of Representatives entitled,

“An act concerning traders and pedlers, in flat boats.” And

Had instructed him to report it with divers amendments.

The Senate agreed to the report of the committee of the Whole, and the amendments to the bill therein mentioned,

Were ordered to be engrossed, and they and the bill

Were ordered to a third reading on to-morrow.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have passed, A memorial to Congress relating to the granting of pre-emption rights to the settlers on, and adjoining to the French and Spanish grants, situated in the Salt River land district.

Which is herewith submitted for the action of the Senate.

On motion of Mr. Byrd,

A memorial to Congress on the subject of pre-emption rights, to settlers on and adjoining to the French and Spanish grants, in the Salt River land district,

Was taken up and read a first time, and

On his motion,

The rule requiring bills to be read on three several days, was dispensed with, two thirds voting therefor, the memorial

Was read a second time, and

Was committed to a committee of the Whole House.

On motion of Mr. Campbell,

The Senate resolved itself into a committee of the Whole House, on the above memorial, Mr. Weaver in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered

A memorial on the subject of pre-emptions, (the one above described,) and had instructed him to report it without amendment.

The Senate agreed to the report of the committee of the Whole, and

On motion of Mr. Valle,

The rule was again dispensed with, the memorial

Was read a third time and it passed.

Mr. Byrd moved

That the Senate do now proceed to the election of a President *pro tempore* for the balance of the present session.

Which was agreed to.

Mr. Byrd nominated Daniel Ashby of Chariton for the office aforesaid.

The vote was taken and there appeared

For Mr. Ashby—Messrs. Byrd, Campbell, Dawson, Goforth, Gorham, McClelland, Montgomery, Rawlins, Sterigere, Thompson, Valle, Vadersdall, Walsh, Weaver, and Williams—15.

Messrs. Lee and McDaniel absent with leave.

Messrs. Deguire, Jones of Cooper, Jones of Pike, Lucas and Smith absent.

Mr. Ashby was declared by the President to be unanimously elected president *pro tempore* of the Senate.

Mr. Goforth, from the committee on Claims reported.

"A bill for the relief of James S. McCuistion, collector of the county of Jefferson, for the year 1834."

Which was read a first time.

Mr. Sterigere moved,

That the rule requiring bills to be read on three several days, be dispensed with, and that the bill be read a second and third time now,

Which was agreed to, two thirds voting therefor, and

The bill was read a second time.

Mr. Sterigere proposed,

To amend the bill by inserting *three* in the place of "one" where the word *one* relates to the number of months, before which interest should be charged against said collector.

Which was agreed to, and

The bill was read a third time.

Mr. Vanarsdall moved,

To amend by way of ryder, by striking out the words "the expiration of three months from the time," where those words would exempt said collector from the payment of interest for that length of time.

Which was read a first time.

Objections being made,

The question, shall the ryder be rejected?

Was determined in the affirmative.

The question recurred, shall the bill pass? And

It was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Lucas, McClelland, Montgomery, Rawlins, Sterigere, Thompson and Walsh—15.

Nays—Messrs. Byrd, Smith, Vanarsdall, Weaver and Williams—5

Messrs. Lee and McDaniel absent with leave.

Messrs. Jones of Pike and Valle absent.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The speaker of the House of Representatives, has this day signed a bill entitled,

"An act to attach certain territory to the counties of Clay and Clinton, for civil and military purposes,"

Which is herewith submitted for the signature of the President of the Senate.

The president signed said bill, and it was delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, "A Memmorial to Congress on the subject of pre-emption rights."

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 4, 1837.

THE Senate met pursuant to adjournment.

Mr. McDaniel appeared and took his seat.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives,

"A bill granting pre-emption rights to actual settlers on certain school lands."

"A bill to incorporate a Board of Curators of St. Charles College."

The House have passed a bill entitled,

"An act to incorporate the southern rail road company of Missouri."

Which is herewith submitted.

The Speaker of the House has signed

"A memorial to Congress relating to pre-emption rights to settlers on and adjoining to the French and Spanish grants."

Which is herewith submitted for the signature of the President of the Senate.

The President signed said memorial, and it was delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Engrossed bills from the House of Representatives, entitled

"An act to incorporate the Washington County Mining Company."

"An act for the relief of the heirs of Daniel Doren deceased."

"An act to incorporate the St. Louis Chamber of Commerce."

Also bills entitled

"A bill to legalize the acts of county courts, commissioners of county seats, and commissioners of county buildings."

"A bill to incorporate the Mine a' Lamotte and Mississippi rail-road Company."

Were each read a second time, and

They were severally committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, entitled

"An act supplementary to an act concerning patrols,"

Was read a third time and passed."

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"Amendments made by the Senate to a bill from the House of Representatives entitled, 'an act concerning traders and pedlers on flat boats.'"

Which was read a third time.

Mr. Dawson moved

To amend the bill, (to which those amendments were made,) by way of ryder, by striking out the sixth section thereof,

Which was read a first time.

No objection being made,

The ryder was read a second time, and

Was considered as engrossed and read a third time, and

The bill and amendments, together with the ryder passed.

An engrossed bill from the House of Representatives entitled

"An act to incorporate the Southern Rail-road Company of Missouri,"

Was taken up and read in part,

Mr. Goforth moved

To dispense with the further reading of the bill, and that it be read a second time by its title now,

Which was agreed to, two thirds of the Senate voting therefor, and

The bill was read a second time, and

Committed to a committee of the Whole House.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House, on the orders of the day, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had considered, bills from the House of Representatives, entitled

"An act to incorporate the St. Louis Chamber of Commerce."

"An act to incorporate the Washington county Mining Company."

And had instructed him to report each of them without amendment.

The report of the committee of the Whole was agreed to, and the bills mentioned therein,

Were severally ordered to a third reading on to-morrow.

On motion of Mr. Lucas,

The report of the committee of the Whole in relation to

"A bill to pay jurors,"

Was taken up—and,

He moved

To amend the bill by striking out all after the enacting clause except the fifth section, and inserting in lieu thereof "in all civil causes, whether in the circuit court, county court or before a justice of the peace, when the cause is tried by a jury, there shall be allowed to

each juryman twenty-five cents, to be taxed as other costs, against the unsuccessful party. And the party requiring the jury, and where either party require one, the plaintiff shall deposite with the clerk or justice, before the jury is sworn, the amount of the jury fee, which shall be paid to the jury immediately after the rendition of the verdict. But the jury may excuse the party from depositing the fee, as aforesaid—and in all cases of conviction by the verdict of a jury, under an act to define the jurisdiction, and regulate the proceedings of justices courts, in cases of breach of the peace, there shall be allowed to the jury a fee as above, to be taxed against the defendant, and collected as other costs. If the jury shall acquit the defendant and state in their verdict, that there was no probable cause to justify the prosecution, then the prosecutor shall pay the jury fee, to be taxed and collected as other costs.

Mr. Sterigere moved

To amend the amendment offered by Mr. Lucas, by striking out all between the words "party" in the seventh and the word "and" in the fifteenth line, relating to depositing the money with the clerk or justice of the peace.

Mr. Ashby moved

To postpone the bill indefinitely,

Which was decided in the negative as follows:

Ayes—Messrs. Ashby, Byrd, Gorham, McClelland, McDaniel, Montgomery, Robison and Thompson—8.

Nays—Messrs. Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Lucas, Rawlins, Smith, Sterigere, Valle, Vanarsdall, Weaver and Williams—14.

Mr. Jones of Pike absent sick. Mr. Lee absent.

On motion of Mr. Ashby

The bill together with the amendments were recommitted to a committee of the Whole House.

The President laid before the Senate the following communications from the Governor.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, }
January 3rd, 1837. }

To the honorable the Senate of Missouri:

GENTLEMEN—I have this day approved and signed bills of the following titles:

"An act amendatory of an act entitled 'an act for taking the census.'"

"An act to establish an Academy in the town of Paris, Monroe county."

"An act respecting chancery practice." And,

"A joint resolution for the relief of collectors of the revenue."

Most respectfully, your ob't serv't,

LILBURN W. BOGGS.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 5, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled,

“A bill to organize the counties of Livingston, Macon, Taney and Linn.

Mr. Montgomery from the same committee reported, that the committee had presented to the Governor for his approval bills entitled,

“An act to attach certain territory to the counties of Clay and Clinton, for civil and military purposes.” And,

“A joint resolution to Congress concerning pre-emption rights.”

Mr. Vanarsdall from the committee on Internal Improvements to whom was referred a petition of Samuel Massey reported,

“A bill to improve the navigation of the Gasconade river and for other purposes.”

Which was read a first time,

Objections being made to the bill,

The question, shall the bill be rejected?

Was decided in the affirmative.

An engrossed bill from the House of Representatives to incorporate the Washington Mining company,

Was taken up—and,

After some discussion on the propriety of acting on it immediately—it was,

On motion of Mr. Sterigere

Laid on the table.

“An engrossed bill from the House of Representatives to incorporate the St. Louis Chamber of Commerce,”

Was read a third time and passed.

Mr. Lee appeared and took his seat.

A bill to regulate the apportionment of representation among the several counties and senatorial districts,

Was read a second time—and,

Committed to a committee of the Whole House.

A bill respecting the penitentiary was taken up,

Mr. Lucas moved

To recommit the bill to a committee of the Whole House.

Which was decided in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Gorham, Jones of Cooper, Lee, Lucas, Rawlins, Thompson and Walsh—9.

Nays—Messrs. Ashby, Byrd, Deguire, Goforth, McClelland, McDaniel, Montgomery, Smith, Sterigere, Valle, Vanarsdall & Williams—12.

Mr. Jones of Pike absent sick.

Messrs. Robison and Weaver absent.

Mr. Sterigere moved

To strike out the first section of the bill, together with the enacting clause,

Which was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, McClelland, McDaniel, Montgomery, Smith, Sterigere, Valle, Vanarsdall and Williams—12.

Nays—Messrs. Campbell, Dawson, Gorham, Jones of Cooper, Lee, Lucas, Rawlins, Thompson and Walsh—9.

Mr. Jones of Pike, absent sick.

Messrs. Robison and Weaver, absent.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled,

“A bill supplementary to an act to regulate elections.”

“A bill for the relief of James H. Birch.”

“A bill to divorce Martin Weaver and Ruth his wife, from the bonds of Matrimony.” And,

“A bill to organize the county of Bates.”

The House has passed bills entitled,

“An act to appropriate money for the purpose of completing the road across the big swamp, situate on the line between the counties of Cape Girardeau and Scott.” And,

“An act to prevent foreign banking companies from setting up agencies, or transacting banking business, within the limits of this state.”

Which are herewith submitted for the action of the Senate.

The Speaker of the House has signed

“An act to organize the counties of Livingston, Macon, Taney and Linn.”

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and it was delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

Mr. Vanarsdall from the committee on Internal Improvements, reported back to the Senate,

“A bill to incorporate the Mississippi and Iron Mountain Railroad,” without amendment.

Mr. Jones of Cooper offered the following:

Resolved, That the House of Representatives be informed that the Senate is now ready, whenever it may suit the convenience of that body, to go into the election of a Warden of the Penitentiary,

Which was adopted.

On motion of Mr. Jones of Cooper,

An engrossed bill from the House of Representatives entitled,

X

"An act declaring a certain county road a part of the state road,"

Was taken up and it passed.

Mr. Thompson asked and obtained leave to introduce a bill to pay judges and clerks of elections.

Which was read a first time—and,

It passed to a second reading.

An engrossed bill from the House of Representatives entitled,

"An act to appropriate a sum of money for the purpose of completing a road across the big Swamp, situate between the counties of Cape Girardeau and Scott."

Was read a first time.

On motion of Mr. Ashby,

The rule requiring bills to be read on three several days, was dispensed with—and,

It was read a second time, and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, entitled

"An act to prevent foreign banking companies from setting up agencies, or transacting banking business within the limits of this state,

Was read a first time.

On motion of Mr. Smith,

The rule requiring bills to be read on three several days being dispensed with,

The bill was read a second time, and

Committed to a committee of the Whole House.

Mr. Dawson moved

That the above bill be printed,

Which was determined in the negative.

On motion of Mr. Rawlins,

The Senate resolved itself into a committee of the Whole House, on the orders of the day, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had considered

"A bill to legalize the acts of county courts, commissioners of county seats and commissioners of county buildings."

"A bill to pay jurors."

And had instructed him to report each with amendments. Also

"A bill from the House of Representatives, for the relief of the heirs of Daniel Doren, deceased,"

Which he was instructed to report without amendment.

The report of the committee of the Whole in relation to the bill mentioned first, and also, in relation to the one mentioned therein was agreed to, and

The bill first mentioned, together with the amendments thereto, Were ordered to be engrossed and read a third time to-morrow.

The bill mentioned last in the report,

Was ordered to a third reading on to-morrow.

Mr. Lucas moved;

That the Senate disagree to the report of the committee in relation to the bill mentioned second in the report, viz:

"A bill to pay jurors."

The question, will the Senate disagree to that part of the report of the committee?

Was determined in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Lucas, Rawlins, Sterigere, Valle, Vanarsdall, Walsh and Williams—12.

Nays—Messrs. Ashby, Byrd, Gorham, McClelland, McDaniel, Montgomery, Robison, Smith and Thompson—9.

Messrs. Jones of Pike and Weaver absent sick.

Mr. Lee absent.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have concurred in the passage of a bill from the Senate, entitled

"An act for the relief of Ezra Fox." And

It is herewith returned.

On motion

The Senate adjourned.

FRIDAY, JANUARY 6, 1837.

The Senate met pursuant to adjournment.

Mr. Thompson presented a petition of Robert Pogue and others, praying the passage of a law, to enable Jacob and Joseph Groom, infant heirs of Jacob Groom deceased, to make lawful deeds of conveyance of their parts of a tract of land, which belonged to the heirs of said Jacob Groom deceased, the interest of all of which the said petitioner has purchased, except that of the two infants above referred to, which

On his motion,

Was referred to the committee on Civil Judicature.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, bills entitled,

"An act to incorporate Kemper College."

"An act entitled 'an act supplementary to an act concerning patrols,'" and

"An act for the relief of Ezra Fox."

Mr. Montgomery from the same committee, also reported that the committee had presented to the Governor for his approval,

"An act to organize the counties of Livingston, Macon, Taney and Linn."

Mr. Jones of Cooper from the committee on Engrossed Bills, reported as truly engrossed,

"A bill to legalize the acts of the county courts, commissioners of county seats and commissioners of county buildings."

On motion of Mr. Smith,

The several bills now before the Senate, to authorize the construction of Rail-roads, and to incorporate companies for that purpose,

Were referred to a select committee.

Messrs. Dawson, Lucas, Byrd, Goforth and Deguire, were appointed that select committee.

"A bill to pay judges and clerks of elections."

Was read a second time—and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled

"An act for the relief of the heirs of Daniel Doren deceased," and

"A bill to legalize the acts of county courts, commissioners of county seats and commissioners of county buildings,"

Were severally read a third time and passed.

Ordered that the title of the last mentioned bill be

"An act" &c. as aforesaid,

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled

"A bill for the relief of John Moore."

"A bill for the relief of Chapel Carstarphen."

"A bill to organize the county of Barbour."

"A memorial to Congress asking the establishment of an additional superintendency of Indian affairs, near the western frontier of this state," and

"A bill to build a bridge across Loutre creek."

The House have passed bills entitled,

"A joint resolution for the relief of Charles J. Drury."

"An act for the relief of the clerk of Carroll county."

"An act for the relief of persons and their children, who have heretofore been, or may hereafter be, divorced by the Legislature," and

"A memorial to Congress on the subject of improving the navigation of Grand river."

The House has concurred in the passage of bills from the Senate entitled,

"An act to establish the permanent seat of justice in the county of Benton."

"An act to incorporate the Merrimac Academy, and for other purposes."

Which are herewith returned.

The Speaker of the House has signed enrolled bills, entitled

"An act for the relief of Ezra Fox."

"An act to incorporate Kemper College." And

"An act concerning patrols."

All of which are herewith submitted for the signature of the President of the Senate.

The president signed said bills and they were delivered to the committee on enrolled bills, to be presented to the Governor, for his approval and signature.

Engrossed bills from the House of Representatives, entitled "An act for the relief of persons and their children, who have heretofore been, or may hereafter be, divorced by the Legislature."

"A joint resolution for the relief of Charles J. Drury," and

"An act for the relief of the clerk of Carroll county."

Were each read a first time, and they severally passed to a second reading.

"An engrossed memorial to Congress from the House of Representatives, asking an appropriation, for the the improvement of the navigation of south Grand river,

Was read a first time,

On motion of Mr. Ashby,

The rule which requires bills to be read on three several days, was dispensed with, and it was

Ordered that the memorial be read a second and a third time now.

The memorial was read a second and a third time, and

After considerable discussion of the propriety of the memorial,

Mr. Byrd called for the previous question,

Which was sustained, two thirds of the Senate voting therefor,

Whereupon, the question, shall the memorial pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Rawlins, Sterigere, Thompson, Vanarsdall, Walsh and Williams—19.

Nays—Messrs. Smith and Valle.—2.

Mr. Weaver absent sick. Mr. Robison absent.

On motion of Mr. Rawlins,

The Senate resolved itself into a committee of the Whole House, Mr. Rawlins in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had examined a bill from the House of Representatives entitled

"An act to prevent foreign banking companies, from setting up agencies or transacting banking business, within the limits of this state, and

Had made some progress in the investigation thereof, but asked leave to sit again thereon,

Which was granted by the Senate.

Mr. Montgomery from the joint committee on Enrolled Bills, re-

ported that the committee had examined and found truly enrolled, bills entitled

"An act to incorporate the Merrimac Academy, and for other purposes," and

"An act to establish the permanent seat of justice in the county of Benton."

Mr. Montgomery from the same committee, reported that the committee had presented to the Governor for his approval, an enrolled bill entitled,

"An act for the relief of Ezra Fox."

The President laid before the Senate the following communications from the Governor.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 6, 1837. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed

"An act to organize the counties of Livingston, Macon, Taney, and Linn.

Most respectfully,

Your obedient serv't.

LILBURN W. BOGGS.

EXECUTIVE DEPARTMENT,
January 6, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed

"An act for the relief of Ezra Fox."

Most respectfully

Your obedient servant,

LILBURN W. BOGGS.

On motion of Mr. Sterigere,

"A bill supplementary to an act entitled 'An act to regulate the sales of the sixteenth sections, and to provide for organizing, regulating, and perpetuating common schools,'"

Was taken up—and he offered the following amendment to the fifth section of the bill, to-wit:

Insert after the word "act" in the third line of said section, "This act shall not extend to, or in any manner be construed to affect the mineral school district, composed of Congressional township No. 41 north, in range one east, of the fifth principal meridian, lying in Franklin county."

Which was read a first time,

No objections being made,

It was read a second time—and

Ordered to be engrossed, and the amendment, together with the bill,

Was ordered to a third reading on to-morrow.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House Mr. Rawlins in the chair, and after some time spent therein, the committee rose, and the chairman reported that there was no business before the committee.

Mr. Campbell asked and obtained leave to introduce a bill, entitled, "A bill supplementary to an act concerning forcible entries and detainers."

Which was read a first time, and it passed to a second reading.

Mr. Lucas asked and obtained leave to introduce

"A bill for the relief of Callaway county,"

Which was read a first time and it passed to a second reading.

On motion of Mr. Jones of Cooper,

"A bill to pay jurors," was taken up.

The question on the adoption of the amendment offered by Mr. Sterigere, to the amendment offered by Mr. Lucas, to-wit:

To strike out that part of the bill which requires the jury fee, to be deposited with the clerk or justice before the jury is sworn,

Was determined in the negative, as follows:

Ayes—Messrs. Ashby, Deguire, Goforth, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Sterigere and Vanarsdall—10.

Nays—Messrs. Byrd, Campbell, Dawson, Gorham, Jones of Pike, Lee, Lucas, Smith, Thompson, Valle, Walsh and Williams—12.

Mr. Weaver absent, sick.

Mr. Robison absent.

The question then recurred on the adoption of the amendment offered by Mr. Lucas, and

It was decided in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Goforth, Jones of Pike, Lee, Lucas, Rawlins, Smith, Valle, Vanarsdall, Walsh, and Williams—13

Nays—Messrs. Ashby, Byrd, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Sterigere, and Thompson—9.

Absent as above.

The bill together with the amendments were ordered to be engrossed and read a third time on to-morrow.

Mr. Lee asked and obtained leave to introduce

"A bill to incorporate the Union Insurance Company of the City of St. Louis."

Which was read a first time and it passed to a second reading.

Mr. McDaniel presented a petition of divers inhabitants of the town of Kennonsville, in the county of Lewis, some of whom are trustees of the Holstien Female Academy, in said town, asking an appropriation of \$500 to endow said Academy as a Seminary of learning, and an act of incorporation of a board of trustees of the same—which,

On motion of Mr. Vanarsdall,
Was, together with the accompanying documents, referred to
the committee on Education.

On motion
The Senate adjourned.

SATURDAY, JANUARY 7, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills of the following titles, to-wit:

"An act to incorporate the St. Louis Chamber of Commerce."

"An act, entitled, 'an act declaring the present county road from Boonville to Georgetown, a part of the state road.'"

"An act entitled 'An act for the relief of Daniel Doren, deceased,'—and

"A memorial to Congress, on the subject of improving the navigation of South Grand river."

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill to pay jurors."—and

"Amendments made by the Senate, to a bill from the House of Representatives entitled, 'An act to regulate the sale of the sixteenth sections, and to organize, regulate and perpetuate common schools.'"

Mr. Campbell, from the committee on Civil Judicature, submitted the following:

The committee on Civil Judicature report, that they have considered a petition of Robert Pogue, and others, requesting the General Assembly to pass a law giving him a deed to the parts of two heirs of Abraham Groom deceased. And the committee are of opinion that the matter petitioned for, does not come within the legitimate sphere of the duties of the General Assembly, and recommend that his petition be rejected,—which

On motion of Mr. Thompson

Was laid on the table.

"A bill to incorporate the Union Insurance Company of the City of Saint Louis."

"A bill for the relief of Callaway county."

"A bill supplementary to an act, concerning forcible entries and detainers."

Were each read a second time, and

They were severally committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, entitled,
"An act for the relief the clerk of Carroll county,"

Was read a second time—and

It passed to a third reading.

An engrossed joint resolution from the House of Representatives,
“For the relief of Chaales J. Drury,”

Was read a second time—and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled
“An act for the relief persons and their children, who have been,
or who may hereafter be divorced by the legislature,”

Was read a second time—and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled,
“An act supplementary to an act entitled, ‘an act to regulate the
sales of the sixteenth sections, and to provide for organizing, regu-
lating and perpetuating common schools’—and

The engrossed amendments made thereto by the Senate,

Were read a third time, and the bill with the amendments passed.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The speaker of the House of Representatives,
has this day signed enrolled bills, entitled,

“An act to incorporate the Merrimac Academy.”

“An act to establish the permanent seat of justice in the county
of Benton.”

“An act to incorporate the St. Louis Chamber of Commerce.”

“An act declaring the present county road from Boonville to
Georgetown a part of the state road.”

“An act for the relief of the heirs of D. Doren, deceased”—and

“A memorial to Congress on the subject of improving the naviga-
tion of South Grand river.”

All of which are herewith submitted for the signature of the Pres-
ident of the Senate.

The President signed said bills, and they were delivered to the com-
mittee on Enrolled Bills, to be presented to the Governor for his ap-
proval and signature.

“A bill to pay jurors,”

Was read a third time.

The question shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Goforth, Jones of
Cooper, Jones of Pike, Lee, Lucas, Montgomery, Rawlins, Valle,
Walsh and Williams—13.

Nays—Messrs. Ashby, Byrd, Gorham, McClelland, McDaniel,
Sterigere and Thompson—7.

On motion of Mr. Goforth,

The Senate resolved itself into a committee of the Whole House,
Mr. Goforth in the chair, and after some time spent therein, the com-

mittee rose and the chairman reported, that the committee had considered,

“A bill for the relief Callaway county”—and

Had instructed him to report it with some amendments—also

“A bill to incorporate the Union Insurance Company of the City of Saint Louis”—and

Had instructed him to report, that the committee had made some progress in the consideration thereof, but asked leave to sit again thereon.

Which was granted by the Senate.

On motion,

The Senate adjourned until Monday morning.

MONDAY, JANUARY 9, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled bills, reported that said committee had presented to the Governor for his approval, bills entitled,

“An act to incorporate the St. Louis chamber of commerce,”

“An act for the relief of the heirs of Daniel Doren deceased.”

“An act to incorporate the Merrimac Academy, and for other purposes.”

“An act to establish permanently the seat of justice for the county of Benton.”

“An act declaring the present county road from Boonville to Georgetown a part of the state road”—and

“A memorial to Congress for an appropriation, for the purpose of improving the navigation of South Grand river.”

Mr. Sterigere gave notice that he would on to-morrow, ask leave to introduce a bill to establish a state road.

An engrossed bill from the House of Representatives, entitled

“An act for the relief of the clerk of Carroll county,”

Was read a third time and passed.

On Motion of Mr. Lucas,

The report of the committee of the Whole, in relation to

“A bill for the relief Callaway county,”

Was taken up and agreed to—and

The bill and amendments were ordered to be engrossed, and they passed to a third reading on to-morrow.

On motion of Mr. Jones of Cooper,

The Senate resolved itself into a committee of the Whole House, Mr. Rawlins in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered

“A bill to incorporate the Union Insurance Company of St. Louis.”

"A bill for the relief of persons and their children, who have heretofore been, or who may hereafter be divorced by the legislature."

"An act supplementary to an act concerning forcible entries and detainers."

Each of which the committee had instructed him to report to the Senate without amendments. Also

"A bill to pay judges and clerks of elections—and

Had instructed him to report, that the committee recommended to the Senate to strike out the first section, together with the enacting clause of the last mentioned bill.

The report in relation to the bill mentioned first therein,

Was agreed to, and the bill was

Ordered to be engrossed and read a third time to-morrow.

The report in relation to the bill mentioned third in the report,

Was also agreed to, and the bill was

Ordered to be engrossed and read a third time to morrow.

Mr. Thompson moved

To disagree to the report of the committee in relation the bill to pay judges and clerks of elections, which

Was decided in the negative as follows:

Ayes—Messrs. Ashby, Campbell, Rawlins and Thompson—4.

Nays—Messrs. Byrd, Dawson, Deguire, Goforth, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Montgomery, Robison, Sterigere, Valle, Walsh and Williams—16.

Mr. Weaver absent sick.

Messrs. Gorham, Smith and Vanarsdall absent.

Whereby, the bill was rejected.

The report of the committee in relation to a bill from the House of Representatives, for the relief of persons and their children who have been, or who may hereafter be, divorced by the Legislature.

Was agreed to, and the bill was

Ordered to a third reading on to-morrow.

On motion of Mr. Ashby

"A bill from the House of Representatives to regulate the apportionment of the road and canal fund, was taken up.

The ryder formerly offered by Mr. Weaver, viz: To strike out of the fourth line of the third section the words "by the last General Assembly,"

Was read a second time, and

Was considered as engrossed and read a third time.

Mr. Ashby moved

To amend by way of ryder, by striking out all after the word "share," in the second line of the fifth section, and insert "and all counties entitled to more than one representative, shall be allowed one additional share and no more, any law to the contrary notwithstanding."

Which was read a first time,

No objection being made,

The ryder was read a second time and was considered as engrossed.

The question, shall the ryder be ordered to a third reading?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Jones of Cooper, McClelland, McDaniel, Montgomery, Sterigere, Valle, Vanarsdall and Williams—11.

Nays—Messrs. Campbell, Dawson, Goforth, Jones of Pike, Lee, Lucas, Rawlins, Robison, Thompson and Walsh—10.

Mr. Weaver absent sick.

Messrs. Gorham and Smith absent.

The ryder was read a third time, and

On motion of Mr. Ashby

The amendments, together with the several ryders

Were ordered to be re-engrossed.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed bills entitled

“An act to incorporate the Rocheport Rail Road Company.”

“An act to incorporate the St. Louis and Bellevue and Mineral Rail Road Company.”

“An act to incorporate the town of St. Charles.”

“An act to incorporate the Louisiana and Columbia Rail Road Company.”—and

“An act to incorporate the St. Louis Hotel Company of the City of St. Louis.”

All of which are herewith submitted for the concurrence of the Senate.

Mr. Ashby obtained leave and introduced

“A bill supplementary to an act to organize the counties of Livingston, Macon, Taney and Linn.

Which was read a first time, and

On his motion,

The rule which requires bills to be read on three several days, was dispensed with—and

The bill was read a second time—and

Was ordered to be engrossed now.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have this day passed a bill entitled,

“An act to incorporate the Marion City and Missouri Rail Road Company.”

Which is herewith submitted for the action of the Senate.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill supplementary to an act to ^{incorporate} organize the counties of Livingston, Macon, Taney and Linn."

Which the rule being again dispensed with,

Was read a third time and it passed,

Ordered that the title be,

"An act" &c. as aforesaid.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill for the relief of Callaway county."

On motion of Mr. Vanarsdall,

The committee of the Whole was discharged from the further consideration of

"A bill to fix the apportionment of representation among the several counties of this state"—and

On motion of Mr. Jones of Pike,

It was laid on the table.

Engrossed bills from the House of Representatives, entitled,

"An act to incorporate the Rochepoint Rail Road Company."

"An act to incorporate the Louisiana and Columbia Rail Road Company."

"An act to incorporate the Marion City and Missouri Rail Road Company"—and

"An act to charter a Rail Road from Saint Louis to the valley of Bellevue,

Were severally taken up and by divers orders of the Senate,

Each was read a first time by its title—and

On the reading of each, on several motions,

The rule which requires bills to be read on three several days was dispensed with, after the first reading of each, and they

Were severally read a second time, and on various motions they were severally

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled

"An act to incorporate the St. Louis Hotel Company, of the city of St. Louis," was read a first time,

Objections being made thereto,

The question shall the bill be rejected?

Was decided in the negative—and

The bill passed to a second reading.

An engrossed bill from the House of Representatives, entitled,

"An act to incorporate the town of St. Charles,"

Was by an order of the Senate made,

On motion of Mr. Campbell,

Read a first time by its title, and it passed to a second reading.

On motion of Mr. Sterigere,

An engrossed bill from the House of Representatives to incorporate the Washington County Mining Company,

Was taken up, and

He moved, ~~that~~

To amend it by adding as a sixth section, the following:

SECTION, 6. The aforesaid Mining Company shall not carry on any mining or smelting operations, connected therewith, and appertaining thereto, or any other business, authorized to be carried on by said company, by this act, within the limits of Franklin county. Nor shall said mining company be authorized to hold, purchase or convey any real estate, lying in Franklin county. Nor shall said company be permitted to lease any real estate or hold any personal property in said county of Franklin.

Which amendment was agreed to, and

Was ordered to be engrossed and together with the bill, to be read a third time on to-morrow.

Mr. Robison obtained leave and introduced

"A bill supplementary to 'an act to organize the county of Audrian,'"

Which was read a first time, and

It passed to a second reading.

On motion,

The Senate adjourned,

TUESDAY, JANUARY 10, 1837.

THE Senate met pursuant to adjournment.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill to incorporate the Union Insurance Company of St. Louis."

Mr. Dawson from the select committee to which was referred several bills to charter rail road companies in the southern part of this state, submitted the following report, to-wit:

The select committee to whom was referred, bills to charter the Mine a' Lamotte and Mississippi, the Mississippi and Iron Mountain and Southern Rail Road Company, have had the same under consideration, and are of opinion that it is inexpedient to grant more than one charter for a rail road company in that region of country—and they believe, that the bill from the House of Representatives, to charter the Southern Rail Road Company, from its length, direction, and places through and near which it passes, offers greater advantages to the public, than any one of the others.

Your committee will not say, that the other proposed roads should never be established, but they recommend that the said bills be postponed until the meeting of the next General Assembly. They are induced to this conclusion from the consideration, that the bill to charter a rail road company, to establish a rail road from Ste. Genevieve, which has already passed, will, if erected, in a great measure serve for the transportation of all articles which would be transport-

ed on the other proposed roads. They recommend the passage of the bill from the House of Representatives, to charter the Southern Rail Road Company."

Mr. Valle moved,

That the Senate disagree to the report, and
On motion of Mr. Lucas,

It was laid on the table.

Mr. Sterigere pursuant to notice, obtained leave and introduced
"A bill to establish a state road from the City of Griswold to Herculanæum."

Which was read a first time, and
Passed to a second reading.

Engrossed bills from the House of Representatives, entitled
"An act to incorporate the town of St. Charles."

"An act to incorporate the St. Louis Hotel Company of the City of St. Louis."

Were each read a second time—and,
They were severally committed to a committee of the Whole House.

"A bill to amend an act to organize the county of Audrain."

Was read a second time, and

Was ordered to be engrossed and it passed to a third reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives bills entitled,

"A bill to allow Henry Laseter and others, compensation for services rendered the State."

"A bill to amend an act to incorporate the Marine Insurance Company of St. Louis."

"A bill to incorporate the St. Louis Insurance Company."

"A memorial to Congress relative to the improvement of the navigation of the Des Moines river."

"A bill to amend an act entitled 'an act to establish a state road from the city of St. Louis to the city of Jefferson, by way of Manchester and Union.' And

"A bill to incorporate the Farmers and Mechanics Insurance Company of St. Louis.

The House has rejected

"A bill to divorce Martin Warren and Ruth his wife, from the bonds of matrimony." And

Have passed a bill entitled

"An act to incorporate the St. Louis and Fayette Rail Road Company."

Which is herewith submitted for the action of the Senate. And

Have concurred in the passage of a bill from the Senate entitled,

"An act supplementary to an act to organize the counties of Livingston, Macon, Taney and Linn.

Which is herewith returned.

Mr. William McCausland, a member of the House of Representatives of the first session of the ninth General Assembly, from the county of Lafayette, has this day resigned as such.

An engrossed bill from the House of Representatives, entitled "An act for the relief of persons and their children, who have heretofore been, or may hereafter be, divorced by the Legislature,"

Was read a third time.

The question, shall the bill pass?

Was determined in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Pike and McDaniel—7.

Nays—Messrs. Ashby, Byrd, Jones of Cooper, Lucas, McClelland, Montgomery, Rawlins, Robison, Sterigere, Thompson, Vanarsdall, Walsh, Weaver and Williams—14.

Mr. Smith absent sick.

Messrs. Lee and Valle absent

The bill was rejected.

Mr. Jones of Cooper, from the committee on Engrossed bills, reported as truly engrossed,

"A bill supplementary to an act concerning forcible entries and detainers."

An engrossed bill from the House of Representatives entitled, "An act to incorporate the Washington county Mining company," together with the engrossed amendments made thereto by the Senate,

Were read a third time and passed.

Engrossed bills

"To incorporate the Union insurance Company of the city of St. Louis." And

"A bill supplementary to an act concerning forcible entries and detainers."

Were severally read a third time and passed.

Ordered that the title of each be

"An act" &c. as aforesaid.

"A bill for the relief of Callaway county,"

Was read a third time.

Mr. Ashby moved

To lay the bill on the table.

Which was decided in the negative.

The question recurring shall the bill pass? And

After some conversation about the propriety of acting on the bill immediately,

It was, by consent, laid on the table for the present.

On motion of Mr. Byrd,

The communication from the Governor, containing his objections

to a bill for the relief of Joseph McCarty, was taken up, and
After some debating of the propriety of acting thereon immediately,

On motion of Mr. Dawson,

It was laid on the table.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
January 9th, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed
“An act to establish permanently the seat of justice in the county of Benton.”

Most respectfully,

your obedient servant,

LILBURN W. BOGGS.

An engrossed bill from the House of Representatives entitled
“An act to incorporate the St. Louis and Fayette Rail Road Company,” was taken up, and

On motion of Mr. Campbell,

By an order of the Senate, it was read a first time by its title.

On motion of Mr. Byrd,

The rule requiring bills to be read on three several days, was dispensed with—and,

The bill was read a second time—and

Committed to a committee of the Whole House.

On motion of Mr. Lucas,

“A bill for the relief of Callaway county,”

Was taken up and it passed as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Montgomery, Robison, Thompson, Walsh and Williams.—14

Nays—Messrs Byrd, Goforth, Jones of Cooper, Sterigere, Vanarsdall and Weaver.—6,

Mr. Smith absent sick.

Messrs. Gorham and Valle absent.

Ordered that the title be

“An act” &c. as aforesaid,

On motion of Mr. Ashby,

“A bill for the relief of Joseph McCarty,”

Which was returned by the Governor, together with a communication from him containing his objections thereto, was taken up, and

The question, shall the bill pass, the objections of the Governor, notwithstanding?

Was determined in the negative as follows:

Ayes—Messrs. Goforth, Rawlins and Valle—3.

Nays—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Gor-

ham, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Montgomery, Robison, Thompson, Walsh and Williams—17.

Mr. Sterigere was excused from voting.

Mr. Smith absent sick.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There has this day passed the House of Representatives, a bill entitled

“An act for the relief of James H. Birch.”

Which is herewith submitted for the action of the Senate.

Mr. Jones of Cooper from the committee on Engrossed Bills, reported as truly engrossed,

Amendments made by the Senate to a bill from the House of Representatives entitled “An act to regulate the apportionment of the Road and Canal Fund.” Also

“A bill to amend an act to organize the county of Audrain.”

On motion of Mr. Ashby,

A bill from the House of Representatives, entitled

“An act to regulate the apportionment of the Road and Canal Fund,” together with the re-engrossed amendments, made thereto by the Senate,

Were taken up, and the amendments made thereto

Were read a third time, and

The question shall, the bill with the amendments pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Sterigere, Valle, Weaver and Williams—12.

Nays—Messrs. Campbell, Dawson, Goforth, Jones of Cooper, Lee, Rawlins, Robison, Thompson and Walsh—9.

Mr. Smith absent sick.

Messrs. Lucas and Vanarsdall absent.

On motion of Mr. Robison,

The rule which requires bills to be read on three several days was dispensed with, and

“A bill to amend and act to organize the county of Audrain,”

Was read a third time and it passed.

Ordered that the title thereof be

“An act” &c. as aforesaid.

On motion of Mr. Robison,

“A bill from the House of Representatives for the relief of James H. Birch,”

Was taken up, and

Read a first time, and

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time and was
Committed to a committee of the Whole House.

On motion of Mr. Valle,

The report of the select committee, to which was referred a number of bills to construct rail roads in the southern part of this state,

Was taken up,

The question recurring on the motion of Mr. Valle, to disagree to the report.

Mr. Robison moved,

As an amendment to said motion, that the Senate disagree to so much of the report of the committee as proposed to refer the consideration of

"A bill to construct the Mississippi and Iron Mountain Rail Road." and also,

"A bill to incorporate the Mine a' Lamotte and Mississippi Rail Company," to the next General Assembly.

The question on disagreeing to that part of the report above referred to,

Was determined in the affirmative as follows:

Ayes—Messrs. Campbell, Gorham, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Robison, Rawlins, Valle, Walsh, Weaver, and Williams.—13.

Nays—Messrs. Ashby, Byrd, Dawson, Deguire, Goforth, Jones of Cooper, Sterigere and Thompson.—8

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 11, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled,

"A bill to incorporate the Paynesville and Mississippi Rail Road Company."

"A bill to organize the county of Miller and to define the boundaries of Pulaski."

"A bill to regulate the navigation of steam boats."

"A resolution requesting a new land district in the northwestern part of this state."

"A bill amendatory to an act, entitled 'an act to regulate fees.'"

"A bill amendatory to an act entitled, an act establishing recorders offices."

"A bill to incorporate the Cape Girardeau Insurance Company." and

"A bill to reduce the tax."

The House has passed a bill entitled,
 "An act supplementary and amendatory to an act entitled, an act
 to authorize the sale of the St. Louis Commons."
 Which are herewith submitted for the action of the Senate.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled,
 "A bill entitled, an act for the relief of Carroll county."

Mr. Montgomery gave notice, that he would on to-morrow ask leave to introduce a bill to organize the county of St. Clair.

Mr. McClelland gave notice, that he would on to-morrow ask leave to introduce a bill to attach a small part of the northwest corner of the county of Van Buren to the county of Jackson.

Mr. Thompson asked leave of absence for Mr. Lucas, for the balance of the session, after to-morrow,

Which was granted by the Senate.

"A bill to establish a state road from the City of Griswold to Herculanum,"

Was read a second time, and was ordered to be engrossed, and It passed to third reading.

On motion of Mr. Byrd,

A bill from the House of Representatives, entitled,

"An act to incorporate the Southern Rail Road Company,"

Was taken up, and

On motion of Mr. McDaniel,

It was recommitted to a committee of the Whole House.

On motion of Mr. Valle,

"A bill to incorporate the Mine a'Lamotte and Mississippi Rail Road Company," and

"A bill to construct the Mississippi and Iron Mountain Rail Road,"

Were taken up, and

They were severally recommitted to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled,
 "An act supplementary and amendatory to an act entitled, an act to authorize the sale of the St. Louis Commons,"

Was read a first time, and

It passed to a second reading.

On motion of Mr. Lucas,

The report of the committee of the Whole in relation to a bill giving certain powers to the mayor, aldermen and citizens of the City of St. Louis,"

Was taken up and agreed to by the Senate, and

On his motion,

The bill was recommitted to a committee of the Whole House.

On motion of Mr. Jones of Cooper,

The Senate resolved itself into a committee of the Whole House, on the orders of the day, Mr. Goforth in the chair, and after

some time spent therein, the committee rose and the chairman reported that the committee had considered

A bill from the House of Representatives for the relief of James H. Birch, and had instructed him to report it to the Senate without amendment. Also,

A bill from the House of Representatives entitled, "An act to incorporate the Marion City and Missouri Rail Road Company"—and

Had instructed him to report to the Senate that the committee had made some progress in the consideration of said bill, but asked leave to sit again on it.

Which was granted, and

The report in relation to the bill first mentioned therein,

Was agreed to, and the bill was ordered to a third reading on to-morrow.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have this day passed bills entitled,

"An act to incorporate the Salt river Navigation Company."

"An act to incorporate the St. Louis Insurance Company."

"An act to incorporate the Farmers and Mechanics Insurance Company of St. Louis."

"An act to amend an act, entitled, an act to incorporate the Marine Insurance Company of St. Louis."

"An act for the relief of Chapel Carstarphen."

"An act for the relief of John Moore of Scott county."

All of which are herewith submitted for the action of the Senate. The Speaker of the House has this day signed an enrolled bill entitled

"An act for the relief of the Clerk of Carroll county."

Which is herewith submitted for the signature of the President of the Senate.

The president signed said bill, and it was delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Mr. Jones of Cooper reported as truly engrossed,

"A bill to establish a state road from the city of Griswold to Herculanum."

On motion of Mr. Weaver,

The Senate resolved itself into a committee of the Whole House on the orders of the day, Mr. Goforth in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had resumed the consideration of a bill from the House of Representatives, entitled,

"An act to incorporate the Marion City and Missouri Rail Road Company," and

Had also considered bills from the House of Representatives entitled,

“An act to incorporate the Rocheport Rail Road Company,” and

“An act to incorporate the Southern Rail Road Company,”—and

Had instructed him to report each of said bills with divers amendments.

The report of the committee of the Whole was agreed to by the Senate, and the amendments to each of said bills

Were ordered to be engrossed, and with the bills to which they were made,

Were severally ordered to a third reading on to-morrow.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 12, 1837.

THE Senate met pursuant to adjournment.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT,
January 10, 1837. }

To the Senate

• GENTLEMEN—I have this day approved and signed

“An act to incorporate the Merrimac Academy, and for other purposes.”

Most respectfully

Your obedient servant,

LILBURN W. BOGGS.

Mr. Jones of Cooper from the committee on Engrossed Bills, reported as truly engrossed,

“Amendments made by the senate to a bill from the House of Representatives, entitled ‘an act to charter the Rocheport and Columbia Rail Road Company.’”

“An act to incorporate the Southern Rail Road Company of Missouri,” and

“An act to incorporate the Marion City and Missouri Rail Road Company.”

Mr. Montgomery from the joint committee on Enrolled bills, reported as truly enrolled, a bill entitled,

“An act supplementary to ‘an act to organize the counties of Livingston, Macon, Taney and Linn.”

Mr. Montgomery from the same committee, reported that the

committee had presented to the Governor for his approval, a bill entitled

“An act for the relief of the clerk of Carroll county.”

Mr. Lee from the committee on the Seat of Government, to which was referred a resolution of the Senate instructing said committee to inquire into the expediency of conveying certain lots to the trustees of the city of Jefferson, for certain purposes, reported

“A bill to donate certain lots to the trustees of the city of Jefferson.”

Which was read a first time and it passed to a second reading.

Mr. Lee from the same committee submitted the following report, to-wit:

The committee to whom was referred a petition of James H. Birch, proposing to build a house, suitable for a capitol for the state, have had the same under consideration, and they think it inexpedient to comply with the proposition of said petitioner.

Mr. McDaniel asked and obtained leave to introduce

“A bill to organize Miller county,”

Which was read a first time, and

It passed to a second reading.

Mr. Montgomery pursuant to notice, asked and obtained leave and introduced

“A bill to organize the county of St. Clair.

Which was read a first time, and

It passed to a second reading.

Mr. McClelland pursuant to notice asked and obtained leave, and introduced

“A bill to define the southern boundary of Jackson county,”

Which was read a first time—and,

It passed to a second reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives,

“A bill to incorporate the St. Louis Floating Dock and Insurance company.”

The Speaker of the House has signed an enrolled bill, entitled

“An act supplemental to an act to organize the counties of Livingston, Macon, Taney and Linn,”

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and it was delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

An engrossed bill from the House of Representatives, entitled,

“An act supplementary to an to authorize the sale of the St. Louis commons.”

Was read a second time, and
It passed to a third reading on to-morrow.

An engrossed bill from the House of Representatives, entitled,
"An act for the relief of James H. Birch,"

Was read a third time,
The question shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Gorham, Jones of Pike, Lee, Lucas, McDaniel, Rawlins, Robison, Thompson and Walsh—12.

Nays—Messrs. Byrd, Goforth, Jones of Cooper, Montgomery, Sterigere, Vanarsdall and Weaver—7.

Messrs. McClelland and Smith, excused from voting,

Messrs. Deguire, Valle and Williams, absent.

"A bill to establish a state road from the City of Griswold to Her-
culaneum,"

Was read a third time and passed,

Ordered that the title be,

"An act" &c. as aforesaid.

An engrossed bill from the House of Representatives, entitled,
"An act to charter the Rocheport Rail Road company,"

Was read a third time with the engrossed amendments made to it
by the Senate.

Mr. Byrd moved

To amend the bill by way of ryder, by striking out of the twenty-
second section, all after the word "same" in the sixth line of said
section, and inserting in lieu thereof, *where any person owns land on
both sides of said Rail Road, the company owning said Rail Road, shall
be required to keep a good causeway, for any person to cross said road with
a team or otherwise, and to keep the same in good repair.*

The ryder was read a first time,

Objections being made thereto,

The question shall the ryder be rejected?

Was decided in the negative.

The ryder was read a second time and was considered as engross-
ed—and,

Was read a third time, and

The bill with the amendments and ryder passed.

An engrossed bill from the House of Representatives entitled,
"An act to incorporate the Marion city and Missouri Rail Road
Company,"

Was read a third time.

Mr. Robison moved,

To amend by way of ryder, by adding as an additional section,
"When any individual owns land on both sides of said Rail Road,
it shall be the duty of said Company to make and keep in good re-
pair, a good causeway for any person or persons to cross said road
with a team or otherwise.

The ryder was read a first time

No objection being made,
 It was read a second time and was considered as engrossed, and
 Was read a third time, and
 The bill and amendments, together with the ryder passed.
 Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have passed
 “A memorial to Congress on the subject of an additional superintendency of Indian affairs near the western frontier.”
 Which is herewith submitted for the concurrence of the Senate.

An engrossed bill from the House of Representatives, entitled
 “An act to incorporate the Southern Rail Road Company.”
 Was read a third time.

Mr. Valle moved

To amend, by way of ryder, by striking out of the eighth line of the seventh section, the words “Mine, a’ Lamotte.”

The ryder was read a first time.

Objections being made thereto,

The question shall the ryder be rejected?

Was determined in the affirmative.

Mr. Campbell moved

To amend the twelfth section of the bill, by way of ryder, by adding thereto, “Provided that when damages are assessed by a jury the amount of damages assessed shall be paid or tendered, before the company shall acquire a title to the strip of land to be occupied by the road.

The ryder was read a first time.

No objections being made,

It was read a second time and was considered as engrossed, and

Was read a third time.

Mr. Ashby moved

To amend by way of ryder, by striking out all of the twentieth section after the word “act,” in the eighth line thereof.

The ryder was read a first time.

No objections being made,

It was read a second time and was considered as engrossed, and

Was read a third time, and

The bill with the amendments, together with the ryders, passed

Engrossed bills from the House of Representatives, entitled,

“An act to incorporate the St. Louis Insurance Company.”

“An act to incorporate the Farmers and Mechanics Insurance Company.”

“An act to amend an act entitled ‘an act to incorporate the Marine Insurance company of St. Louis.’ And

“An act to incorporate the Salt river Navigation Company.”

Were severally taken up, and

On various motions,

*A

The rule which requires bills to be read on three several days, was dispensed with several times—and

Each of said bills was, by an order of the Senate

Read a first and a second time by its title, and

On different motions,

Each was committed to to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled

“An act for the relief of John Moore of Scott county,

Was read a first time,

On motion of Mr. Dawson,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and

Was ordered to be read a third time on to-morrow.

On motion of Mr. Montgomery,

Leave was granted to Joseph McCarty to withdraw the petition and other documents, which he had presented to the Senate and which are now on file.

“A bill, from the House of Representatives, for the relief of Chapel Carstarphen.

Was read a first time, and

Was ordered to be read a second time to-morrow.

An engrossed memorial from the House of Representatives, to Congress on the subject of an additional superintendency of Indian Affairs,

Was read a first time.

On motion of Mr. Campbell,

The rule which requires bills to be read on three several days, was dispensed with, and the memorial

Was read a second time—and was

Committed to a committee of the Whole House.

Mr. Robison from the committee on Education, to which was referred a petition of George Realey and others, reported

“A bill to establish the Holstien Seminary of Kennonsville.”

Which was read a first time, and

It passed to a second reading.

On motion

The Senate adjourned.

FRIDAY, JANUARY 13, 1837.

The Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House has passed a bill entitled,

“An act to establish judicial districts and circuits and to prescribe the times and places of holding courts.”

The house has considered and concurred in the amendments made by the Senate to the bills which originated in the House of Representatives, entitled,

“An act supplementary to an act entitled, an act to regulate the sales of township school lands, and to provide for organizing, regulating and perpetuating common schools.”

“An act to define the boundary of the county of Shannon, and for other purposes.” And

“An act to incorporate the Washington County Mining Company.”

Mr. Montgomery from the joint committee on Enrolled bills, reported that said committee had presented to the Governor for his approval, a bill entitled,

“An act supplementary to an act, entitled, an act to organize the counties of Livingston, Macon, Taney and Linn.”

“A bill to organize Miller county,”

Was read a second time, and was

Committed to a committee of the Whole House. Also

“A bill to organize the county of St. Clair,” and

“A bill to donate certain lots to the trustees of the City of Jefferson,”

Were severally read a second time, and they were

Committed to a committee of the Whole House.

“A bill to ~~define the southern~~ boundary of Jackson county,”

Was read a second time and ordered to be engrossed, and It passed to a third reading on to-morrow.

“A bill to establish the Holstien Seminary at Kennonsville,”

Was read a second time, and

On motion of Mr. Robison,

Was considered as engrossed, and

It passed to a third reading on to-morrow.

An engrossed bill from the House of Representatives, entitled

“An act for the relief Chapel Carstarphen,”

Was read a second time, and

Committed to a committee of the Whole House.

Engrossed bills from the House of Representatives entitled,

“An act supplementary and amendatory to an act entitled, an act to authorize the sale of the St. Louis Commons,” and

"An act for the relief of John Moore of Scott county,"

Were severally read a third time and passed.

An engrossed bill from the House of Representatives entitled

"An act to establish judicial districts and circuits and to prescribe the times and places of holding courts,"

Was read a first time, in part, and

On motion of Mr. Sterigere,

The further reading thereof, was dispensed with, and

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and was

Committed to a committee of the Whole House. And

Was ordered to be printed.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House Mr. Jones of Pike in the chair, and after some time spent therein the committee rose and the chairman reported that the committee had considered,

"A bill to incorporate the Mine a'Lamotte and Mississippi Rail Road Company," and

A bill from the House of Representatives entitled,

"An act to incorporate the St. Louis and Fayette Rail Road Company."

Each of which the committee had instructed him to report to the Senate with various amendments.

The report of the committee of the Whole was agreed to by the Senate, and

The bill mentioned first therein was ordered to be engrossed with its amendments, and

It was ordered to be read a third time on to-morrow.

The amendments made by the committee of the Whole to the other mentioned bill in the report

Were ordered to be engrossed and together with the bill,

To be read a third time on to-morrow.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have passed, "A memorial to Congress relating to the improvement of the navigation of the Des Moines river.

Which is herewith submitted for the concurrence of the Senate.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill to define the southern boundary of Jackson county."

Mr. Robison from the committee on Education, to which was referred a petition of P. J. Verheagen, on the subject of establishing a school in the City of Jefferson, on certain conditions, reported,

"A bill to promote Education in the City of Jefferson,"

Which was read a first time, and

It passed to a second reading.

Mr. Byrd obtained leave and introduced

"A bill to authorize the governor to borrow money."

Which was read a first time, and

Passed to a second reading.

On motion,

The Senate resolved itself into a committee of the Whole House, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose, and the chairman reported, that the committee had considered

A bill from the House of Representatives, entitled

"An act for the relief Chapel Carstarphen,"

Which the committee had instructed him to report to the Senate without amendment—and

"A bill giving certain powers to the mayor, aldermen and citizens of the City of St. Louis,"

Which they had instructed him to report with an amendment. And

"A bill from the House of Representatives to incorporate the Saint Louis and Bellvieu Rail Road Company." And

Had instructed him to report that the committee had made some progress on said bill, but asked leave to sit again,

Which was granted by the Senate.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have this day concurred in the amendments made by the Senate to a bill which originated in the House, entitled

"An act to regulate the apportionment of the road and canal fund."

Mr. Sterigere gave notice that he would on to-morrow ask leave to introduce a bill supplementary to an act regulating writs and process.

On motion

The Senate adjourned.

SATURDAY, JANUARY 14, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills of the following titles, to-wit:

"An act to define the boundary of Shannon county and for other purposes."

"An act for the relief of James H. Birch."

"An act to license traders and pedlers in flat boats descending the Mississippi and other rivers in this state."

"An act to incorporate the Washington County Mining Company."

"An act supplementary to an act entitled, an act to regulate the sale of the sixteenth sections and to provide for organizing, regulating and perpetuating common schools."

"An act for the relief of John Moore of Scott county."

"An act supplementary and amendatory to an act entitled, an act to authorize the sale of the Saint Louis Commons."

Mr. Sterigere pursuant to notice, asked and obtained leave to introduce

"A bill supplementary to an act regulating writs and process,"

Which was read a first time, and

On his motion

The rule which requires bills to be read on three several days was dispensed with two thirds of the Senate voting therefor, and

The bill was read a second time, and was ordered to be engrossed and

Read a third time on Monday next.

Mr. McDaniel asked and obtained leave and introduced

"A bill to amend an act respecting school lands,"

Which was read a first time, and

It passed to a second reading.

"A bill to authorize the governor to borrow money,"

Was read a second time, and

It passed to a third reading.

"A bill to promote Education in the City of Jefferson,"

Was read a second time, and was

Committed to a committee of the Whole House.

Mr. Jones of Cooper from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

"Amendments made by the Senate to a bill from the House of Representatives, entitled, an act to incorporate the St. Louis and Fayette Rail Road Company."

"A bill to establish the Holstien Female Seminary at Kennonsville," and

"A bill to define the southern boundary of Jackson county,"

Were severally read a third time, and passed.

Ordered that the title of each be,

"An act, &c." as aforesaid.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The Speaker of the House of Representatives has this day signed bills entitled,

"An act to define the boundaries of Shannon county and for other purposes."

"An act for the relief of James H. Birch."

"An act to incorporate the Washington County Mining Company."

“An act supplementary to an act entitled, ‘an act to regulate the sale of the sixteenth sections, and to provide for organizing, regulating and perpetuating common schools.

“An act for the relief of John Moore of Scott county,” and

“An act supplementary and amendatory to an act entitled an act to authorize the sale of the St. Louis commons.”

All of which are herewith submitted for the signature of the President of the Senate.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

An engrossed bill from the House of Representatives entitled,

“An act to incorporate the St. Louis and Fayette Rail Road Company,”

Was read a third time in part.

On motion of Mr. Campbell,

The further reading thereof was dispensed with, and the amendments thereto

Were read a third time, and

The bill with the amendments passed.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

“A bill to incorporate the Mine a’Lamotte and Mississippi Rail Road Company,”

Which was read a third time.

Mr. Goforth moved,

To amend by way of ryder, by adding after the word “river” in the tenth line of the first section, *at or near some point on said river fifteen miles above Cape Girardeau,*

Which was read a first time,

Objections being made thereto,

The question, shall the ryder be rejected?

Was determined in the negative, and

The ryder was read a second time.

Mr. Campbell moved,

To amend the ryder, by inserting in the place thereof, *said road shall not strike the Mississippi river lower down than Pratt’s Landing,*

Which was read a first time,

Objections being made thereto,

The question shall the ryder as amended be rejected?

Was determined in the negative, and the ryder

Was read a second time, and was considered as engrossed and

Was read a third time.

The question, shall the bill together with the ryder pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Campbell, Gorham, Jones of Pike, Lee, McDaniel,

Montgomery, Rawlins, Robison, Valle, Vanarsdall, Walsh and Williams—12.

Nays—Messrs. Ashby, Byrd, Dawson, Deguire, Goforth, McClelland, Thompson and Weaver.—8.

Mr. Smith excused.

Mr. Lucas absent with leave.

Messrs Jones of Cooper and Sterigere absent.

Ordered that the title of the bill be,

“An act” &c. as aforesaid.

An engrossed memorial to Congress from the House of Representatives, relating to the improvement of the navigation of the Des Moines river,

Was read a first time.

On motion of Mr. Robison,

The rule which requires bills to be read on three several days, was dispensed with, two thirds of the Senate voting therefor, and the memorial,

Was read a second time, and

On motion of Mr. McDaniel,

The rule was again dispensed with, by a vote of two thirds, and the memorial,

Was read a third time and passed.

The report of the committee of the Whole, in relation to

“A bill for the relief of Chapel Carstarphen,”

Was taken up and agreed to, and

The bill was ordered to be read a third time on Monday next.

The report of the committee of the Whole in relation to

“A bill giving certain powers, to the Mayor, Aldermen and citizens of St. Louis,”

Was taken up and the bill with the amendments made thereto, in the committee of the Whole was

Ordered to be engrossed and it passed to a third reading.

A message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT—The House of Representatives have this day passed a bill entitled

“An act to repeal the charter of the St. Louis Marine Railway Company.”

—In which the concurrence of the Senate is requested.

The House have also adopted a concurrent resolution, relating to the election of Warden of the state Penitentiary.

Which is herewith submitted for the action of the Senate.

On motion of Mr. Vanarsdall,

The concurrent resolution from the House of Representatives, which proposed a meeting of the two Houses, this evening at three o'clock for the purpose of electing a warden of the state Penitentiary,

Was taken up and concurred in by the Senate.

Mr. Dawson submitted the following.

Resolved, That the committee on Engrossed Bills be directed to inquire into the true condition of "A bill to license and tax pedlers trading in flat boats, on the Mississippi and other rivers in this state" and the amendments thereto, and report the facts to the Senate.

Which was adopted.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had presented to the Governor for his approval, bills of the following titles, to-wit:

"An act to incorporate the Washington county Mining Company."

"An act supplementary to an act entitled an act to regulate the sales of the sixteenth sections, and to provide for organizing, regulating and perpetuating, common schools,"

"An act for the relief of James H. Birch."

"An act for the relief of John Moore of Scott county." And

"An act supplementary and amendatory to an act entitled 'an act to authorize the sale of the St. Louis commons.'"

An engrossed bill from the House of Representatives, entitled

"An act to repeal the charter of the St. Louis Marine Railway company,"

Was read a first time and

It passed to a second reading.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had resumed the consideration of

"A bill to charter a Rail Road from St. Louis to the valley of Bell-vieu," and

Had instructed him to report it to the Senate with amendments. Also

"A memorial to Congress on the subject of establishing an additional superintendency of Indian Affairs, near our western frontier,"

Which the committee had instructed him to report to the Senate without amendment. And

"A bill to incorporate the Louisiana and Columbia Rail road Company,"

Which the committee had instructed him to report with various amendments.

The Senate agreed to the report of the committee of the Whole.

The amendments made in the committee of the Whole to the bill mentioned first, and also those made to the one last mentioned in the report

Were severally ordered to be engrossed, and together with the bills to which they were respectively made,

Were ordered to be read a third time on Monday next.

"A memorial to Congress on the subject of an additional superintendency of Indian Affairs," was taken up, and

*B-

On motion of Mr. Ashby

The rule requiring bills to be read on three several days, was dispensed with, by a vote of two thirds, and the memorial

Was read a third time and it passed.

Mr. Sterigere gave notice, that he would on Monday next, ask leave to introduce,

A bill supplementary to an act to provide for the recovery of debts by attachment.

On motion of Mr. Vanarsdall,

The Senate took a recess subject to a call of the chair.

The chairman called to order,

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives, have adopted the following resolution:

Resolved, That the Senate be informed, that the House of Representatives, is now ready to proceed to the election of a Warden of the Penitentiary, and that the seats on the right of the Speaker's chair are set apart for the reception of its members.

The Senate repaired to the hall of the House of Representatives for the purpose aforesaid, and the President of the Senate took the Speaker's chair and announced the object of the joint meeting.

Mr. Barnes of the House of Representatives nominated Lewis F. Bolton, and

Mr. Holliday, also of the House, nominated Richard B. Jackson.

Each for the office of Warden of the Penitentiary.

The vote was taken and there appeared

For Mr. Bolton—Fifty-six votes.

For Mr. Jackson—Thirty-three votes.

The President declared that Lewis F. Bolton had received a majority of the votes of both Houses of the General Assembly, and was duly elected Warden of the Penitentiary. Whereupon

The Senate repaired to its chamber and resumed its session.

Mr. Montgomery from the joint committee on Enrolled bills, reported, that the committee had examined and found truly enrolled, an act entitled,

“An act to regulate the apportionment of the Road and Canal Fund.”

On motion,

The Senate adjourned until Monday morning.

MONDAY, JANUARY 16, 1837.

THE Senate met pursuant to adjournment.

Mr. Valle presented a petition of a number of the citizens of St. Genevieve, praying that the General Assembly would grant to the trustees of said town, the exclusive right to tax and license billiard tables, within the limits of the corporation thereof.

Which was read, and

On motion of Mr. Sterigere,

Was referred to the committee on Ways and Means.

Mr. McDaniel from the Select committee to which a petition on the subject was referred, reported

"A bill to incorporate the city of Hannibal,

Which was read a first time, and

It passed to a second reading.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled,

"A memorial to Congress, on the subject of an additional superintendency of Indian Affairs." Also

"A memorial on the subject of removing the obstructions in the Des Moines river."

Mr. Jones of Cooper from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

"A bill supplementary to an act regulating writs and process."

"A bill to authorize the Governor to borrow money,"

Amendments made by the Senate to bills from the House of Representatives to bills entitled,

"An act to incorporate the Louisiana and Columbia Rail Road Company."

"An act to charter a Rail Road from St. Louis to the valley of Bellvieu."

Mr. Montgomery from the joint committee on Enrolled bills, to which was referred, a resolution, directing an inquiry into the true condition of an act entitled

"An act to license and tax pedlers trading in boats,"

Reported, that the committee had examined the same and find that the amendments made by the Senate to said bill have been mislaid or overlooked by the enrolling clerk of the House of Representatives, and the said bill together with the amendments are now truly enrolled.

Mr. Vanarsdall from the select committee to which was referred, a petition on the subject, reported

"A bill to divorce Joab Mobley and Sarah his wife,"

Which was read a first time, and

It passed to a second reading.

Mr. Sterigere, pursuant to notice, asked and obtained leave to introduce

"A bill supplementary to an act to provide for the recovery of debts by attachment,"

Which was read a first time, and

It passed to a second reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled,

"A bill to incorporate the St. Charles Rail Road."

"A bill to divorce Rebecca Ruggles, late Rebecca Smith, from the bonds of matrimony, by her contracted with Edmund L. Ruggles."

"A bill to dissolve the bonds of matrimony existing between Joseph Hamilton and Rebecca Hamilton, his wife."

"A bill to view and mark a state road."

"A bill to refund money to Lewis Bolton."

"A resolution appointing an auditor to settle with James Dunica."

"A memorial to Congress on the subject of attaching Saline and other counties to the Lexington land district."

"A bill to locate the county seat of Macon."

"A bill to provide for the appointment of surveyors and assessors in the new counties."

"A bill to incorporate the Stockholders of the St. Louis Theatre."

"A bill to build the Wyconda bridge."

"A bill for establishing and keeping in repair, the roads in the county of Pike."

"A bill to incorporate the Cooper county Agricultural School."

"A bill to regulate the collection of costs in criminal cases."

"A bill to charter the Florida and Paris Rail Road Company." also

"A bill for surveying and marking out a state road from Palmyra in Marion county to Huntsville, in Randolph county."

The House has passed bills entitled,

"An act to amend an act respecting constables."

"An act to incorporate the Cape Girardeau Insurance Company."

"An act to incorporate the Missouri Medical Society at St. Louis."

"An act to incorporate the St. Louis and Gas Light Company," and

Have concurred in the amendments made by the Senate to a bill which originated in the House of Representatives, entitled

"An act concerning traders and pedlers ascending and descending the Mississippi and other rivers in this state."

The House has indefinitely postponed

"A bill to organize the county of Barbour," and

Have passed a bill from the Senate, entitled

"An act to amend an act entitled, an act to incorporate the Missouri Insurance Company of St. Louis,"

With an amendment, in which the concurrence of the Senate is requested.

The Speaker of the House of Representatives has this day signed bills, entitled

"A memorial to Congress on the subject of an additional Superintendency of Indian Affairs."

"A memorial to Congress on the subject of the navigation of the Des Moines river."

"An act to provide for the distribution of the road and canal fund," and

"An act to amend an act entitled, an act to license and tax peddlers."

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

"A bill to amend an act respecting School Lands," and

An engrossed bill from the House of Representatives, entitled "An act to repeal the charter of the St. Louis Railway Company,"

Were severally read a second time, and

Committed to a committee of the Whole House.

"A bill to authorize the governor to borrow money,"

Was read a third time, and

On motion of Mr. Sterigere,

Was referred to the committee on Ways and Means.

"A bill supplementary to an act regulating writs and process,"

Was read a first time, and

It passed as follows:

Ayes—Messrs. Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, McDaniel, Montgomery, Robison, Sterigere, and Valle.—12.

Nays—Messrs. Ashby, Dawson, Jones of Pike, McClelland, Rawlins, Smith, Thompson, Vanarsdall, Walsh, and Weaver.—10.

Mr. Lucas absent, with leave.

Mr. Williams absent.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
January 41, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed

"An act supplementary to an act entitled, an act to organize the counties of Livingston, Macon, Taney and Linn."

Most respectfully,

your obedient servant,
LILBURN W. BOGGS.

An engrossed bill from the House of Representatives entitled
 "An act for the relief of Chapel Carstarphen,"

Was read a third time, and it passed.

An engrossed bill from the House of Representatives, entitled
 "An act to incorporate the Louisiana and Columbia Rail Road
 Company," and

With the engrossed amendments, made thereto by the Senate,

Were read a third time and they passed.

An engrossed bill from the House of Representatives, entitled,

"An act to incorporate the St. Louis and Bellevue Rail Road Com-
 pany,"

Together with the engrossed amendments made thereto by the
 Senate,

Were read a third time.

Mr. Weaver moved,

To amend the bill by way of ryder, by adding after the word
 "and" in the eleventh line of the twenty-sixth section, the words *the
 stock of,*

The ryder was read a first time, and

No objection being made,

It was read a second time, and was considered engrossed, and

The bill and amendments together with the ryder passed.

The amendments made by the House of Representatives to a bill,
 entitled.

"An act to incorporate the St. Louis Insurance Company,"

Were read, and

Considered by the Senate.

The question, will the Senate concur in the amendments aforesaid?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Gorham, Jones of Coop-
 er, Jones of Pike, Lee, McDaniel, Montgomery, Rawlins, Robison,
 Smith, Thompson, Valle and Vanarsdall.—15.

Nays—Messrs. Byrd, Goforth, McClelland, Sterigere and Wea-
 ver.—5.

Mr. Walsh excused.

Mr. Lucas absent, with leave.

Messrs. Deguire and Williams absent.

Mr. Montgomery from the joint committee on Enrolled Bills, re-
 ported that the committee had presented to the governor for his ap-
 proval, bills entitled,

"An act to amend an act entitled, an act to license and tax ped-
 lers."

"An act to regulate the apportionment of the road and canal fund."

"A memorial to Congress asking the establishment of an addition-
 al Superintendency of Indian Affairs near the western frontier of
 this state." And

"A memorial to Congress asking an appropriation for the improve-
 ment of the navigation of the Des Moines river."

An engrossed bill from the House of Representatives, entitled
"An act to incorporate the Medical Society of Missouri at St. Louis,"

Was read a first time, and
It passed to a second reading.

An engrossed bill from the House of Representatives, entitled
"An act to incorporate the Cape Girardeau Insurance Company,"

Was read a first time.

On motion of Mr. Byrd,

The rule requiring bills to be read on three several days, was dispensed with, and

The bill was read a second time—and

Was Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, entitled

"An act to amend an act respecting constables,"

Was read a first time, and

It passed to a second reading.

An engrossed bill from the House of Representatives, entitled

"An act to incorporate the St. Louis Gas Light Company,"

Was read a first time.

On motion of Mr. Jones of Cooper,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and

Committed to a committee of the Whole House.

On motion of Mr. Vanarsdall,

The Senate resolved itself into a committee of the Whole House, on the orders of the day, Mr. Thompson in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had considered

Engrossed bills from the House of Representatives entitled,

"An act to incorporate the St. Louis Hotel Company of the city of St. Louis."

"An act to incorporate the St. Louis insurance company."

"An act to incorporate the Farmers and Mechanics insurance company of St. Louis."

"A bill to organize Miller county."

Each of which the committee had instructed him to report to the Senate without amendment. Also,

"A bill to incorporate the town of St. Charles,"

Which the committee had instructed him to report with an amendment.

"A bill to construct the Mississippi and Iron Mountain Rail Road."

Which the committee had instructed him to recommend to the Senate, to refer the consideration of to the next General Assembly.

And

A bill from the House of Representatives, to appropriate a sum of

money for the purpose of completing a road across the Big Swamp, situate between the counties of Cape Girardeau and Scott.

The committee had instructed him to recommend to the Senate, to strike out the first section, together with the enacting clause thereof.

Mr. Sterigère gave notice, that he would on to-morrow ask leave to introduce a bill to incorporate a Steam Flouring Mill Company, at Herculanum, in Jefferson county.

Mr. Dawson gave notice, that he would on to-morrow ask leave to introduce a bill to authorize P. A. Laforge to complete his Mill-dam across the Bayou St. John, in New Madrid county.

On motion,

The Senate adjourned,

TUESDAY, JANUARY 17, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled,

“An act for the relief Chapel Carstarphen.”

Mr. Vanarsdall from the committee on Federal Relations, reported “A memorial to congress on the subject of the Santa Fe trade,”

Which was read a first time, and

It passed to a second reading.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

“A bill giving certain powers to the mayor, aldermen and citizens of St. Louis.”

Message from the House of Representatives by Mr. Ralls:

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled

“A bill to provide for building a capitol and for other purposes.”

“A bill to amend an act entitled ‘an act to establish a State Penitentiary and to regulate the same.’”

“A bill declaring the present county road from the town of Lexington in Lafayette county, to the county line of Johnson county, by James Geer’s, a state road, and for other purposes.”

“A bill to charter the Liberty Rail Road Company.” And

“A bill concerning school lots, in the town of Ferdinand, (commonly called Florisant,) in the county of St. Louis.”

The Speaker of the House has this day signed an enrolled bill entitled

“An act for the relief of Chapel Carstarphen.”

Which is herewith submitted for the signature of the President of the Senate.

The president signed said bill, and it was delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Mr. McDaniel asked and obtained leave to introduce

"A bill to incorporate the Marine Insurance Company.

Which was read a first time.

On motion of Mr. Campbell,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time—and was

Committed to a committee of the Whole House.

Mr. Dawson pursuant to notice, asked and obtained leave to introduce

"A bill for the benefit of Peter Laforge,"

Which was read a first time, and

It passed to a second reading.

Mr. Sterigere pursuant to notice, asked and obtained leave to introduce,

"A bill to incorporate a Steam Flouring Mill Company at Herculanum, in the county of Jefferson.

Which was read a first time.

On motion of Mr. McDaniel,

The rule which requires bills to be read on three several days, was dispensed with, and

It was read a second time, and

It was committed to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled,

"An act to incorporate the Missouri Medical Society of Saint Louis."

Was read a second time—and

It passed to a third reading on to-morrow.

An engrossed bill from the House of Representatives, entitled,

"An act to amend an act respecting constables." And

"A bill to divorce Joab Mobley and Sally his wife,"

"A bill to incorporate the city of Hannibal,"

"A bill supplementary, to an act to recover debts by attachment."

Were severally read a second time, and

Committed to a committee of the Whole House.

"A bill giving certain powers to the Mayor, Aldermen and citizens of St. Louis,"

Was read a third time.

Mr. Weaver moved

To amend the bill by way of ryder, by striking out the third and fourth sections of the bill.

Mr. Robison moved

To amend the ryder by striking out of it the word "fourth"

Which was rejected.

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The question then recurred on the adoption of the ryder offered by Mr. Weaver, and

It was determined in the negative.

Mr. Vanarsdall moved

To amend by way of ryder by striking out the fourth section of the bill.

Objections being made thereto,

The question, shall the ryder be rejected?

Was determined in the affirmative.

The question recurred, shall the bill pass? And it

Was determined in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Jones of Pike, Lee, McDaniel, Rawlins, Robison, Sterigere, Valle, Vanarsdall and Walsh—11.

Nays—Messrs. Ashby, Byrd, Goforth, Gorham, Jones of Cooper, McClelland, Montgomery, Smith, Thompson, Weaver and Williams—11.

Mr. Lucas absent with leave.

Mr. Deguire absent.

There being a tie, Mr. President gave the casting vote in the negative, whereby

The bill was rejected.

On motion of Mr. Goforth,

The report of the committee of the Whole, which was made yesterday, was taken up.

On motion of Mr. Vanarsdall,

The report in relation to each bill mentioned therein, was considered separately.

The report in relation to bills from the House of Representatives, entitled,

“An act to incorporate the St. Louis Insurance Company.”

“An act to incorporate the town of St. Charles.”

“An act to incorporate the St. Louis Hotel Company, of the city of St. Louis.”

“An act to incorporate the Farmers and Mechanics Insurance company of St. Louis.” And

“A bill to organize Miller county.”

Were severally agreed to,—and the bill last mentioned,

Was ordered to be engrossed, and they

Were severally ordered to a third reading on to-morrow.

The report in relation to a bill from the House of Representatives entitled,

“An act appropriating a sum of money for the purpose of completing a road across the Big Swamp, situated between the counties of Cape Girardeau and Scott.”

Was taken under consideration.

Mr. McDaniel moved,

To lay it on the table,

Which was decided in the negative.

The question, will the Senate agree to that part of the report which relates to said bill,

Was determined in the negative as follows:

Ayes—Messrs. Ashby, Gorham, Jones of Cooper, McClelland, Smith, Sterigere, Thompson, Valle, Vanarsdall and Weaver—10.

Nays—Messrs. Byrd, Campbell, Dawson, Goforth, Lee, McDaniel, Montgomery, Rawlins, Robison, Walsh and Williams—12.

Mr. Lucas absent with leave.

Mr. Deguire absent.

On motion of Mr. Vanarsdall,

The report in relation to

“A bill to incorporate the Mississippi and Iron Mountain Rail Road.”

Was laid on the table.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, a bill entitled

“An act to incorporate the Missouri Insurance company.”

On motion of Mr. Goforth,

“A bill to regulate the apportionment of representation among the several counties; was taken up—and

On motion of Mr. Sterigere,

It was committed to a committee of the whole House, and

Made the order of the day for Thursday next,

On motion of Mr. Dawson

“A bill to appropriate a sum of money to complete a road across the Big Swamp;”

Was recommitted to a committee of the Whole House.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House Mr. Jones of Pike in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee had considered bills from the House of Representatives, entitled,

“An act to incorporate the Salt river navigation company.” And

“An act to incorporate the Cape Girardeau Insurance company.”

And had instructed him to report the one first mentioned with an amendment, and the last without an amendment.

On motion of Mr. Jones of Pike,

The report in relation to the first mentioned bill,

Was laid on the table.

The Senate agreed to the report in relation to the other, and it

Was ordered to a third reading on to-morrow.

On motion of Mr. Sterigere,

The Senate again resolved itself into a committee of the Whole House, Mr. Jones of Pike in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered

"A bill to establish judicial districts and circuits, and to prescribe the times and places of holding courts, and

Had instructed him to report that the committee had made some progress in the consideration of said bill, but asked leave to sit again for the purpose of its further consideration.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 18, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives,

"A bill to incorporate the Missouri Life Insurance and Trust company."

The House has considered the amendments made by the Senate to bills which originated in the House, entitled

"An act to incorporate the Marion City and Missouri Rail Road Company."

"An act to incorporate the Rocheport Rail Road Company."

"An act to incorporate the Southern Rail Road Company of Missouri." And

"An act to incorporate the St. Louis and Bellevue Rail Road company."

The Speaker of the House of Representatives has signed an enrolled bill entitled,

"An act to amend an act entitled, an act to incorporate the Missouri Insurance company of St. Louis,"

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled bills to be presented to the Governor for his approval and signature.

Mr. Jones of Cooper from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

"A bill to organize the county of Miller."

On motion of Mr. Thompson,

The Senate reconsidered the vote by which "a bill giving certain powers to the mayor, aldermen and citizens of the city of St. Louis," was rejected.

Mr. McDaniel presented a petition of a number of the citizens of the counties of Monroe, Ralls and Marion, asking the General Assembly to incorporate a company to make a rail road from Hannibal

on the Mississippi river, through Paris in Monroe county, to some suitable point on the Missouri river. Which

On his motion,

Was referred to a select committee, of Messrs. McDaniel, Jones of Cooper, Jones of Pike, and Ashby.

"A bill for the benefit of Peter A. Laforge,"

Was read a second time.

On motion of Mr. Dawson,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a third time and passed.

Ordered that the title be,

"An act" &c. as aforesaid.

"A memorial to congress on the subject of the Santa Fe Trade,"

Was read a second time.

On motion of Mr. Robison,

The rule which requires bills to be read on three several days was dispensed with, and

It was read a third time, and passed.

An engrossed bill from the House of Representatives, entitled,

"An act to incorporate the Cape Girardeau Insurance company,"

Was read a third time and it passed.

An engrossed bill from the House of Representatives, entitled,

"An act to incorporate the Medical Society of Missouri at Saint Louis,"

Was read a third time.

The question, shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Jones of Cooper, Jones of Pike, Lee, McDaniel, Rawlins, Robison, Sterigere, Thompson, Walsh and Williams.—12.

Nays—Messrs. Ashby, Byrd, Gorham, McClelland, Montgomery, Smith and Weaver—7.

Mr. Lucas absent, with leave.

Messrs. Goforth, Valle and Vanarsdall absent.

Engrossed bills from the House of Representatives, entitled,

"An act to incorporate the St. Louis Insurance Company."

"An act to incorporate the Farmers and Mechanics Insurance Company at St. Louis." And

"An act to incorporate the town of St. Charles,"

Were severally read a third time and passed.

An engrossed bill from the House of Representatives entitled,

"An act to incorporate the St. Louis Hotel Company of the city of St. Louis,"

Was read a third time.

The question, shall the bill pass?

Was determined in the affirmative, as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Gorham, Jones of

Cooper, Jones of Pike, Lee, McDaniel, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, and Walsh.—16.

Nays—Messrs. Ashby, Byrd, Goforth, McClelland, Montgomery, Weaver and Williams.—7.

Mr. Lucas absent, with leave.

“A bill to organize Miller county,”

Was read a third time.

Mr. Sterigere moved

To lay the bill on the table,

Which was decided in the negative.

The question recurred, shall the bill pass? and
It was decided in the affirmative.

Ordered that the title be,

“An act” &c. as aforesaid.

On motion of Mr. Sterigere,

“A bill giving certain powers to the mayor, aldermen and citizens of the city of St. Louis,”

Was taken up.

Mr. Smith moved,

To amend the bill by way of ryder, by striking out the third section thereof,

Which was read a first time.

No objections being made,

The ryder was read a second time, and was considered as engrossed.

Mr. McDaniel moved,

To amend the bill by way of ryder, by striking out of the third section the words “three months” and inserting *one month*.

Objections being made,

The question, shall they ryder be rejected?

Was decided in the affirmative.

The ryder offered by Mr. Smith,

Was read a third time, and

The question, shall the bill together with the ryder pass?

Was determined in the affirmative, as follows:

Ayes—Messrs. Campbell, Dawson, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McDaniel, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh and Williams.—17.

Nays—Messrs. Ashby, Byrd, Deguire, McClelland, Montgomery, and Weaver.—6.

Absent as above.

Ordered that the title be,

“An act &c.” as aforesaid.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House Mr. Goforth in the chair, and after some time spent therein the committee rose and the chairman reported that the committee had resumed the consideration of

"A bill to establish judicial districts and circuits and to prescribe the times and places of holding courts," and

Had considered a resolution from the House of Representatives

"For the relief of Charles J. Drury," and

A bill from the House of Representatives, entitled

"An act to appropriate money to complete a road across the Big Swamp, situate between the counties of Cape Girardeau and Scott."

The first mentioned of which the committee had instructed him to report with several amendments, and the two last without amendment. Also

"A bill to organize the county of St. Clair."

"A bill to incorporate the Herculanum Steam Flouring Mill Company."

"A bill to provide for the recovery of debts by attachment."

"A bill to incorporate the Marion Insurance Company." And

"A bill to donate certain lots to the City of Jefferson."

Each of which the committee had instructed him to report to the Senate without amendment. Also

"A bill to promote Education in the City of Jefferson,"

Which the committee had instructed him to recommend to the Senate to permit the petitioner, on whose petition the bill was introduced, to withdraw both the petition and bill. And

A bill from the House of Representatives, entitled

"An act to amend an act entitled, an act to incorporate the Marine Insurance Company of St. Louis."

Which he was instructed to report to the Senate without amendment

The report of the committee of the Whole was agreed to by the Senate, and

The amendments made in the committee of the Whole, to the bill mentioned first therein,

Were ordered to be engrossed and together with the bill

To be read a third time on to-morrow.

The resolution and bill, mentioned second and third in the report,

Were severally ordered to a third reading on to-morrow.

The bills mentioned fourth, seventh and eighth in the report,

Were each considered as engrossed, and they

Were severally ordered to a third reading on to-morrow.

Those mentioned fifth and sixth

Were each ordered to be engrossed, and they severally

Passed to a third reading on to-morrow, and

The one mentioned tenth in the report,

Was ordered to a third reading on to-morrow.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 19, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills reported as truly enrolled, a bill entitled

“An act to amend an act entitled an act to incorporate the Missouri Insurance Company.”

Mr. McDaniel, from the Select committee, to which was referred a petition on the subject reported,

“A bill to incorporate the Hannibal, Paris and Grand river Rail Road Company,”

Which was read a first time.

On motion of Mr. Ashby,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and was

Committed to a committee of the Whole House.

“A bill to organize the county of St. Clair.”

Was read a third time.

Mr. Montgomery moved

To amend the bill, by way of ryder, by adding to the fourth section, “the Governor is authorised and required to appoint and commission three persons, resident in said county, as judges of the county courts thereof,—and one person also resident in said county, sheriff thereof, who, when so appointed and commissioned, shall have full power and authority to act as such, in their respective offices, under the existing laws, until the next general election, to be held in said county, and the judges of the county court shall have the power to elect a clerk of the county court, who shall continue in office until the next general election, and until his successor be elected and qualified.”

The ryder was read a first time.

No objection being made thereto,

It was read a second time and was considered as engrossed, and

Was read a third time and together with the bill passed.

Ordered that the title be

“An act” &c. as aforesaid.

“A bill to incorporate the Marion Insurance Company,”

Was read a third time and it passed.

Ordered that the title be

“An act” &c. as aforesaid.

“A bill to donate certain lots to the trustees of the city of Jefferson,”

Was read a third time, and

On motion of Mr. Sterigere,

It was recommitted to a committee of the Whole House.

An engrossed resolution from the House of Representatives,
 "For the relief of Charles J. Drury."

Was read a third time and it passed.

An engrossed bill from the House of Representatives entitled
 "An act to amend an act entitled 'an act to incorporate the Marine Insurance Company of St. Louis.'"

Was read a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows.

Ayes—Messrs. Ashby, Campbell, Dawson, Gorham, Jones of Pike, Jones of Cooper, Lee, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Valle, Vanarsdall, Walsh and Williams—17.

Nays—Messrs. Byrd, Goforth, McClelland and Weaver—4.

Mr. Lucas absent with leave.

Messrs. Deguire and Thompson absent.

An engrossed bill from the House of Representatives, entitled
 "An act to appropriate a sum of money for the purpose of completing a road across the Big Swamp,"

Was read a third time.

The question shall the bill pass?

Was determined in the negative as follows:

Ayes—Messrs. Byrd, Campbell, Dawson, Deguire, Goforth, Jones of Pike, Lee, McDaniel, Rawlins, Robison and Walsh—11.

Nays—Messrs. Ashby, Gorham, Jones of Cooper, McClelland, Montgomery, Smith, Sterigere, Thompson, Valle, Vanarsdall, Weaver and Williams—12.

Mr. Lucas absent with leave.

"An engrossed bill to incorporate a Steam Flouring Mill Company, at Herculanæum." And

"A bill supplementary to an act to provide for the recovery of debts by attachment."

Were severally read a third time and they passed.

Ordered that the title of each be

"An act" &c. as aforesaid, and

An engrossed bill from the House of Representatives, entitled
 "An act to establish judicial districts and circuits, and to provide for the times and places of holding courts,"

Was read a third time, with the engrossed amendments thereto.

Mr. Weaver moved

To amend the bill by way of rider, by striking out of the second line of the seventh section, the words "Fayette" and "Howard," and inserting *Boonville* and *Cooper*.

The rider was read a first time.

Objections being made thereto.

The question shall the rider be rejected?

Was decided in the negative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Pike, Rawlins, Robison, Smith and Walsh—11.

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Nays—Messrs. Byrd, Deguire, Jones of Cooper, Lee, McClelland, McDaniel, Sterigere, Thompson, Valle, Weaver and Williams—11.

Absent as above.

The ryder was read a second time, and was considered as engrossed.

The question, shall the ryder be ordered to a third reading?

Was determined in the affirmative as follows:

Nays—Messrs. Byrd, Deguire, Jones of Cooper, Lee, McClelland, McDaniel, Montgomery, Sterigere, Thompson, Vanarsdall, Weaver, and Williams—12.

Nays—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Pike, Rawlins, Robison, Smith, Valle and Walsh.—11

Absent as above.

The ryder was read a third time.

Mr. McDaniel moved

To amend the bill by way of ryder, by striking out of the sixth line of the seventh section, "Bowling Green, of Pike," and inserting *Palmyra of Marion*,

Which was read a first time.

Objections being made,

The question, shall the ryder be rejected?

Was determined in the negative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Pike, Rawlins, Smith, Thompson and Walsh—10.

Nays—Messrs. Byrd, Deguire, Jones of Cooper, Lee, McClelland, McDaniel, Montgomery, Robison, Sterigere, Valle, Vanarsdall, Weaver and Williams—13.

Absent as above.

The ryder was read a second time, and was considered as engrossed, and

Was read a third time.

Mr. Montgomery moved

To amend by way of ryder, by inserting in the second line of the eighth section, after the word "Cooper," the word *Pettis*."

Which was read a first time.

No objections being made,

The ryder was read a second time, and was considered as engrossed, and

Was read a third time.

Mr. Montgomery again moved,

To amend by way of ryder, by striking out of the second line of the seventh section, the word "Pettis," and inserting *St. Charles*.

Which was read a first time.

No objections being made,

The ryder was read a second time, and was considered as engrossed, and

Was read a third time.

Mr. Campbell moved

To amend the bill by way of ryder, by striking out of the first section the word "ten" and inserting *eight*.

Which was read a first time,
Objections being made thereto,

The question, shall the ryder be rejected?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Goforth, Gorham, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson Vanarsdall and Weaver—14.

Nays—Messrs. Campbell, Dawson, Jones of Cooper, Jones of Pike, Walsh and Williams—6.

Messrs. Deguire and Valle absent.

Mr. Lucas absent with leave.

Mr. Williams moved

To amend the bill by way of ryder, by striking out of the third line of the third section, the word "Gasconade," and adding in the first line of the sixth section after the word "Franklin," the word *Gasconade*.

The ryder was read a first time.

No objection being made,

It was read a second time, and was considered as engrossed, and

Was read a third time.

Mr. Sterigere moved

To amend the bill by way of ryder, by striking out the word "Pulaski" where it occurs in the third section and insert *it* at the end of the sixth section.

Which was read a first time.

No objections being made,

The ryder was read a second time, and was considered as engrossed, and

Was read a third time.

Mr. Jones of Cooper moved,

An amendment by way of ryder to the nineteenth section of the bill,

Which was read a first and second time and was considered as engrossed, and

Was read a third time,

But which was afterwards withdrawn by the mover by the unanimous consent of the Senate.

On motion of Mr. Jones of Cooper,

The bill together with its amendments and ryders,

Was laid on the table.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have passed a bill entitled,

"An act to incorporate the Boonslick Marine and Fire Insurance Company,"

Which is herewith submitted for the concurrence of the Senate.

On motion of Mr. Ashby,

The Senate recurred to the order of propositions and motions, and

He moved,

That the Senate ask leave of the House of Representatives to withdraw

"A bill to incorporate the St. Louis Insurance Company,"

With so much of the message which accompanied it, as related to it.

Which was agreed to.

Mr. Ashby asked and obtained leave to introduce

"A bill supplementary to an act entitled, an act to regulate the apportionment of the road and canal fund,"

Which was read a first time, and

It passed to a second reading.

Mr. Williams moved,

To reconsider the vote by which "a bill to appropriate a sum of money to complete a road across the Big Swamp, between the counties of Cape Girardeau and Scott," was rejected.

The question, will the Senate reconsider the vote aforesaid?

Was determined in the negative, as follows:

Ays—Messrs. Byrd, Campbell, Dawson, Jones of Pike, Lee, Rawlins, Robison, Valle, Walsh and Williams.—10.

Nays—Messrs. Ashby, Goforth, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Smith, Sterigere, Thompson, Vandersdall, and Weaver.—12.

Mr. Lucas absent, with leave.

Mr. Deguire absent.

On motion of Mr. Robison,

A bill from the House of Representatives, entitled

"An act to incorporate the Boonslick Marine and Fire Insurance Company,"

Was taken up and read a first time.

On motion of Mr. Smith,

The rule which requires bills to be read on three several days, was dispensed with—and

The bill was read a second time, and

On his motion,

The rule was again dispensed with, and

The bill was read a third time, and it passed.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill supplementary to an act to provide for the recovery of debts by attachment," and

"A bill to incorporate a Steam Flouring Mill Company at Herculanum, in Jefferson county." Also

Amendments made by the Senate to a bill from the House of Representatives, entitled,

"An act to establish judicial districts and circuits and to prescribe the times and places of holding courts."

A message from the House of Representatives, by Mr. Fort, a member.

MR. PRESIDENT—The House of Representatives have this day passed a bill entitled

"An act to amend an act to organize the county of Audrain,"
In which the concurrence of the Senate is requested.

On motion of Mr. Vanarsdall,

The report of the committee of the Whole, in relation to a bill to charter the Salt River Navigation Company,

Was taken up, and

On his motion,

The Senate disagreed to so much thereof as proposed an amendment to the ninth section of the bill.

Mr. Vanarsdall moved,

To amend the bill, by adding to the eleventh section, "provided that this act shall not be so construed as to authorize said company to take any timber or other materials for the construction of said work, without first obtaining the consent of the owner."

Which was adopted.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a third time, and it passed.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT,
January 18, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed

"An act to amend an act to incorporate the Missouri Insurance Company of St. Louis."

Most respectfully

Your obedient servant,

LILBURN W. BOGGS.

On motion of Mr. Jones of Cooper,

"The bill to establish judicial districts and circuits, and to prescribe the times and places of holding courts,"

Was taken up.

Mr. Montgomery obtained the unanimous consent of the Senate, and withdrew the yeas offered by him to the bill.

Mr. Jones of Pike moved a call of the Senate,

Which was ordered.

Messrs. Ashby, Byrd, Campbell, Dawson, Goforth, Gorham, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Vanarsdall, Walsh and Weaver, answered to their names.

Messrs. Deguire, Lee, Valle and Williams, absent.

The president directed the doorkeeper to request the attendance of the absent members.

On motion of Mr. Vanarsdall,

The Senate took a recess subject to the call of the chair.

The absent members appeared and the chair called to order.

The question, shall the bill pass?

Was determined in the affirmative.

On motion of Mr. Jones of Cooper,

The Senate resolved itself into a committee of the Whole House Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had considered bills from the House of Representatives, entitled,

"An act to prevent Foreign Banking Companies from setting up agencies, or transacting banking business in this state."

"An act to repeal the St. Louis Railway Company." And

"A bill to regulate the apportionment of representation among the several counties of this state."

The first and last mentioned of which, the committee had instructed him to report to the Senate with amendments to each, and the other without amendment.

The report in relation to the bill first mentioned therein,

Was agreed to, and

The amendments made thereto were ordered to be engrossed, and together with the bill,

To be read a third time on to-morrow.

The report in relation to the other two

Was agreed to, and

The one mentioned second in the report,

Was ordered to a third reading on to-morrow.

The other was ordered to be engrossed, with the amendments made to it, and

To be read a third time on to-morrow.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed,

"A memorial to Congress on the subject of attaching Saline and other counties to the Lexington land district."

In which the concurrence of the Senate is requested.

On motion of Mr. Ashby,

The vote by which the bill which was withdrawn from the House of Representatives, to-wit: "a bill to charter the St. Louis Insurance Company," was passed,

Was reconsidered, and

He moved,

To amend the bill by way of ryder, by adding to the fourteenth section, *this act shall take effect and be in force from and after its passage,*

Which was read a first time.

No objections being made,

The ryder was read a second time and was considered as engrossed, and

Was read a third time, and

The bill together with the ryder passed.

On motion

The Senate adjourned.

FRIDAY, JANUARY 21, 1837.

The Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, a bill entitled,

"An act to amend an act entitled, an act to organize the county of Audrain."

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

"A bill regulating the apportionment of representation among the several counties in this state." And

"A bill to incorporate the city of Hannibal."

Mr. Sterigere gave notice, that he would on to-morrow ask leave to introduce a bill to amend an act entitled, an act to provide for levying, assessing and collecting the revenue.

Mr. Weaver asked and obtained leave to introduce

"A bill to pay persons therein named."

Which was read a first time, and it passed to a second reading.

Mr. Thompson asked and obtained leave to introduce,

"A bill to incorporate the Liberty Hotel Company."

Which was read a first time, and

It passed to a second reading.

"A bill supplementary to an act entitled 'an act to regulate the apportionment of the Road and Canal Fund,'"

Was read a second time and was ordered to be engrossed, and

It passed to a third reading on to-morrow.

"A bill to regulate the apportionment of the representation among the several counties, in this state."

Was read a third time.

On motion of Mr. Ashby,

It was laid on the table.

Mr. Campbell from the committee on Engrossed Bills, reported as truly engrossed,

"Amendments made by the Senate to a bill to prevent Foreign Banking Companies, from setting up agencies, or transacting banking business, in this state."

"A bill to incorporate the city of Hannibal,"

Was read a third time.

Mr. McDaniel moved

To amend the bill by way of ryder, by adding to the first section "The middle of the Mississippi river shall be the eastern boundary of said town, and the jurisdiction of the corporate authorities thereof shall extend in front thereof to the middle of said river, as fully as it may exist within the limits of said town."

Which was read a first time.

No objections being made.

The ryder was read a second time, and was considered as engrossed and

Was read a third time, and

The bill together with the ryder passed.

An engrossed bill from the House of Representatives entitled

"An act to prevent Foreign Banking Companies from setting up agencies or transacting banking business within the limits of this state," with the engrossed amendments made thereto by the Senate,

Were read a third time, and

On motion of Mr. Thompson,

Were laid on the table.

An engrossed bill from the House of Representatives entitled,

"An act to repeal the charter of the St. Louis Marine Railway Company."

Was read a third time and it passed.

An engrossed memorial from the House of Representatives, to attach Saline and other counties to the Lexington Land District.

Was read a first time.

On motion of Mr. Ashby,

The rule requiring bills to be read on three several days, was dispensed with, and the memorial

Was read a second time, and was

Committed to a committee of the Whole House.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House, Mr. Dawson in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee had considered,

"A bill respecting constables."

"A bill to amend an act respecting School lands."

"A bill to incorporate the Hannibal, Paris and Grand river Rail Road."

"A bill to donate certain lots to the trustees of the city of Jefferson." And

A bill from the House of Representatives entitled

"An act to incorporate the St. Louis Gas Light Company."

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, the following bills, to-wit:

"A bill to incorporate the Palmyra and Marion City Turnpike Company."

"A resolution proposing amendments to the twelfth article of the constitution of this state."

"A bill to provide for the sale of the Franklin Academy."

"A bill respecting the practice of Medicine."

"A bill to incorporate the Carondalet and St. Louis Rail Road Company."

"A memorial to Congress respecting Lead Mines."

"A bill to establish a state road from St. Genevieve to Caledonia, and from Caledonia to Cotoway Mines."

"A bill to incorporate the South-eastern Rail Road Company."

"A resolution to authorize the Auditor to issue his warrant in favor of James Fletcher and others."

"A bill to incorporate the Jefferson Seminary."

"A bill to improve the state road across the bottom opposite St. Charles." And

"A bill to incorporate the trustees of the Columbia Female Academy."

The House has rejected

"A resolution authorising the appointment of a Commissioner to settle with James Dunica, late Commissioner of the Penitentiary."

The House has passed bills, entitled

"An act to provide for the appointment of surveyors and assessors in the new counties,"

"An act declaring the present county road from Lexington to the line of Johnson county, by James Greer's, a state road, and for other purposes."

"An act entitled an act to amend an act, entitled an act to establish a state road from St. Louis, to Jefferson city, by way of Manchester and Union." And

"An act to view and mark out a state road."

All of which are herewith submitted.

The House has passed a resolution allowing the costs which accrued in the trial of a slave for murder, in the Lafayette Circuit Court.

The Speaker of the House has signed an enrolled bill, entitled

"An act to amend an act entitled an act to organize the county of Audrain.

*E

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and it was delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have concurred in the amendments made by the Senate to a bill which originated in the House, entitled

“An act to establish judicial districts and circuits, and to prescribe the times and places of holding courts,” except in relation to the times and places of holding courts in Franklin &c. and the time of holding courts in the tenth judicial circuit, and the amendments adding the counties of Gasconade and Pulaski to the sixth section of the bill,—to which the House have disagreed.

The bill and amendments are herewith returned.

The House has also passed a bill entitled

“An act to charter the Union Bank of the State of Missouri.”

Which is herewith submitted for the action of the Senate.

On motion of Mr. Sterigere,

The amendments made by the Senate, to a bill from the House of Representatives, entitled,

“An act to establish judicial districts and circuits, and to prescribe the times and places of holding courts,”

Were taken up and considered by the Senate.

Mr. Sterigere moved

That the Senate insist on their amendments,

Which was adopted.

On motion of Mr. Byrd,

The report of the committee of the Whole, which was made this morning, was taken up, and in relation to each bill mentioned therein was agreed to by the Senate.

The bill mentioned first and second therein,

Were severally ordered to a third reading on to-morrow.

The bill mentioned third in the report, together with the amendments made thereto in committee of the whole,

Were considered as engrossed, and

Ordered to a third reading on to-morrow

The bill mentioned fourth in the report

Were ordered to be engrossed, with the amendments thereto, and

It passed to a third reading on to-morrow

The amendments made by the committee to the bill mentioned fifth in the report,

Were considered as engrossed and together with the bill,

Were ordered to be read a third time on to-morrow.

Mr. Montgomery from the joint committee on Enrolled bills, reported that said committee had presented to the Governor for his approval, an act entitled,

"An act to amend an act to organize the county of Audrain."

Engrossed bills from the House of Representatives entitled,

"An act to amend an act entitled an act to establish a state road from St. Louis by way of Manchester and Union, to the city of Jefferson "

"An act declaring the present county road from Lexington to the line of Johnson county, by James Greer's, a state road, and for other purposes." And

"An act to provide for the appointment of a surveyor and assessor in each of the new counties."

Were taken up and were severally read a first time, and

On three different motions,

The rule which requires bills to be read on three several days, was dispensed with, after the reading of each, and each

Was read a second time, and they were severally

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, entitled

"An act to review and mark out a state road." And

"An engrossed resolution allowing costs which accrued in the trial of a slave for a murder in the county of Lafayette,"

Were severally read a first time, and

They passed to a second reading,

An engrossed bill from the House of Representatives, entitled

"An act to charter the Union Bank of the State of Missouri,"

Was read a first time.

On motion of Mr. Ashby

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and was

Committed to a committee of the Whole House.

On motion of Mr. Smith,

It was ordered to be printed in close form.

The president laid before the Senate, the following communication from the executive.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 20, 1837. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed

"An act to amend an act to organize the county of Audrain."

Approved December 7, 1837.

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

On motion of Mr. Thompson,

An engrossed bill from the House of Representatives, entitled
 "An act to survey and mark out a state road from Elkhorn by way
 of Plattsburg, to the western boundary line of the state,"

Was taken up, and

It was ordered to a third reading on to-morrow.

Mr. McDaniel asked and obtained leave to introduce

"A bill to incorporate the Lagrange and Monticello Rail Road
 Company,"

Which was read a first time.

On motion of Mr. Weaver,

The rule which requires bills to be read on three several days,
 was dispensed with, and

The bill was read a second time, and was

Committed to a committee of the Whole House.

On motion

The Senate adjourned.

SATURDAY, JANUARY 21, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House has receded from their disagree-
 ment to the amendments of the Senate, to a bill from the House en-
 titled,

"An act to establish judicial circuits and districts and to prescribe
 the times and places of holding courts."

Mr. Montgomery from the joint committee on Enrolled Bills, re-
 ported that the committee had examined and found truly enrolled
 bills entitled,

"An act to establish judicial circuits and districts and to prescribe
 the times and places of holding courts."

"An act to charter the Rocheport Rail Road Company."

"An act to incorporate the Marion City and Missouri Rail Road
 Company."

On motion of Mr. Vanarsdall,

The Senate took a recess, subject to the call of the chair.

The chair called to order.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives, have passed a
 bill from the Senate entitled,

"An act to incorporate the Union Insurance Company of Saint
 Louis," with amendments,

In which the concurrence of the Senate is requested.

The Speaker of the House of Representatives has this day signed enrolled bills entitled,

"An act to establish judicial districts and circuits and to prescribe the times and places of holding courts."

"An act to charter the Rocoport Rail Road Company." And

"An act to incorporate the Marion City and Missouri Rail Road Company,"

All of which are herewith submitted for the signature of the President of the Senate.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Message from the House of Representatives by Mr. Ralls:

MR. PRESIDENT.—It has become my duty under the direction of the Speaker of the House of Representatives to announce to the Senate, the decease of HARDY ALLARD, Esqr. late a representative from the county of Wayne, and that the House has unanimously adopted the following resolutions:

1st. *Resolved unanimously*, That the members of the House, as a mark of respect for the memory of Hardy Allard, Esqr. late representative of Wayne county, will wear crape on the left arm, during the remainder of the session, and that the members of the Senate be requested to unite with this House in attending his funeral on tomorrow, (to-day) at three o'clock P. M. from his late residence at Mr. McLain's.

2nd. *Resolved*, That the Speaker be requested to appoint a committee of seven, to arrange the order of procession and superintend the funeral.

3rd. *Resolved*, That the Speaker be requested to communicate to the bereaved family of the deceased intelligence of this melancholy event, and a copy of the foregoing resolutions.

Messrs. Hunter, Netherton, Ellison, Smith of Washington, Bradshaw and Thornton, were appointed that committee.

Mr. Ashby offered the following resolution, which was unanimously adopted.

Resolved, That the Senate adjourn until Monday next, in order to attend the funeral of the Honorable Hardy Allard, deceased.

MONDAY, JANUARY 23, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have concurred in the amendments made by the Senate to bills from the House entitled,

“An act to incorporate the Insurance Company of St. Louis.”
And

“An act to incorporate the Louisiana and Columbia Rail Road Company.”

Except the amendment to the last mentioned bill, so far as that amendment relates to *tolls* to which the House has disagreed.

The bill and amendments are herewith returned.

The House has passed bills from the Senate, entitled,

“An act for the benefit of Peter A. Laforge.”

“An act to define the southern boundary of Jackson county.”

With an amendment to the one last mentioned,

In which the concurrence of the Senate is requested.

There have been introduced into the House of Representatives, bills entitled,

“A bill to incorporate the Hannibal and New London Turnpike Company.”

“A bill to incorporate the trustees of the Hannibal Academy.”

“A bill for the relief of Valentine Heifner.”

“A bill to incorporate the Osage Mining and Smelting Company.”

“A bill to prevent the circulation of counterfeit coin.”

“A bill to charter the Camden steam saw and grist Mill Company.”

“A bill to charter the Herculaneum Bridge Company, in the county of Jefferson.”

“A bill amendatory to an act entitled, an act to regulate the treasury department.”

The House has passed a bill entitled,

“An act for the relief of Valentine Heifner.”

Which is herewith submitted for the concurrence of the Senate.

The Speaker of the House of Representatives has this day signed an enrolled bill entitled,

“An act to incorporate the Southern Rail Road Company of Missouri.”

Which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and it was delivered to the com-

mittee on Enrolled bills to be presented to the Governor for his approval and signature.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled,

"A bill entitled, an act to incorporate the Southern Rail Road Company of Missouri."

Mr. Montgomery from the same committee, reported that the committee had presented to the Governor for his approval, bills entitled

"An act to establish judicial districts and circuits and to prescribe the times and places of holding courts."

"An act to incorporate the Rocheport Rail Road Company." And

"An act to incorporate the Marion City and Missouri Rail Road Company."

Mr. Campbell from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

"A bill to donate certain lots to the City of Jefferson."

"A bill supplementary to an act respecting the Road and Canal Fund."

On motion of Mr. Goforth,

Leave was granted to William McCawley to withdraw a petition presented by him and now on file in the office of the Secretary of the Senate.

Mr. Sterigere asked and obtained leave and introduced

"A bill to amend an act, entitled an act to provide for levying, assessing and collecting the revenue."

Which was read a first time, and

It passed to a second reading.

Mr. Vanarsdall gave notice, that he would on to-morrow ask leave to introduce,

"A bill to perpetuate the law authorising the county courts to assess and collect a school tax, for the support of Common schools.

Mr. weaver asked and obtained leave and introduced

"A bill for the relief of Thomas Shannon,"

Which was read a first time.

On his motion

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and was ordered to be engrossed, and

Read a third time to-morrow.

Mr. Campbell asked and obtained leave to introduce,

"A bill to incorporate the St. Charles Insurance Company,"

Which was read a first time, and

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and was ordered to be engrossed, and,

Read a third time to-morrow.

Engrossed bills from the House of Representatives entitled,

"An act to review and mark out a state road."

"A resolution allowing costs which accrued in the trial of a slave." And

"A bill to pay persons therein named."

Were severally read a second time, and

Committed to a committee of the Whole House.

"A bill to incorporate the Liberty Hotel Company,"

Was read a second time, and was ordered to be engrossed, and Read a third time on to-morrow.

Engrossed bills from the House of Representatives, entitled

"An act to incorporate the St. Louis Gas Light Company," and

"An act respecting Constables,"

Were severally read a third time and they passed.

"An act for surveying and marking out a state road from Elkhorn, by Plattsburg to the western boundary line,"

Was read a third time.

Mr. Weaver moved

To amend the bill by way of ryder, by adding in the second section, after the words *chain carriers* "each overseer and hand, the sum of seventy-five cents per day, for every day they may actually be employed in cutting and clearing out said road, to be paid out of the unappropriated three per cent. fund belonging to the counties through which said road may pass.

Which was read a first time.

Objections being made thereto,

The question, shall the ryder be rejected?

Was determined in the negative.

The ryder was read a second time, and was ordered to be engrossed, and

Was read a third time,

Mr. Valle moved a reconsideration of the vote by which the above ryder was ordered to be engrossed, and was ordered to a third reading.

Which motion was decided in the affirmative.

The question then recurred, shall the ryder be ordered to be engrossed and read a third time?

Which was determined in the negative as follows:

Ayes—Messrs. Deguire, Goforth, Rawlins, Walsh, Weaver and Williams—6.

Nays—Messrs. Ashby, Byrd, Campbell, Dawson, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Robinson, Smith, Sterigere, Thompson, Valle and Vanarsdall—16.

Mr. Vanarsdal moved

To amend the bill by way of ryder, by striking out all from the

word "act" in the third line of the eighth section to the word "this," in the ninth line thereof.

Which was read a first time,

Objections being made,

The question shall the ryder be rejected?

Was determined in the affirmative.

The question recurred, shall the bill pass? And it

Was decided in the affirmative.

"A bill to amend an act respecting school lands."

Was read a third time, and

On motion of Mr. Sterigere,

Was laid on the table.

"A bill supplementary to an act entitled an act to regulate the apportionment of the Road and Canal Fund.

Was read a third time and it passed.

Ordered that the title be

"An act" &c. as aforesaid.

"A bill to donate certain lots to the city of Jefferson,"

Was read a third time.

Mr. Sterigere moved

To amend the bill by way of ryder, by striking out of the eighth line of the first section, the word "five" and insert in place thereof the word *eight*.

Which was read a first time.

The question, shall the ryder be rejected?

Was decided in the negative.

The question recurred, shall the bill pass? And it

Was determined in the affirmative.

Ordered that the title be

"An act" &c. as aforesaid.

On motion of Mr. Robison.

"A bill to regulate the apportionment of the representation, among the several counties," was taken up.

Mr. Robison moved

To amend the bill by way of ryder, by striking out of the fifteenth line of the second section, after the word "Boon" the word *Audrain*.

Which was read a first time and was rejected as follows:

Ayes—Messrs. Ashby, Byrd, Dawson, Goforth, Gorham, Jones of Cooper, Lee, McClelland, McDaniel, Montgomery, Rawlins, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh and Weaver—18.

Nays—Messrs. Campbell, Deguire, Jones of Pike, Robison and Williams.—5.

Mr. Vanarsdall moved

To amend by way of ryder, by striking out the word "Ralls," in the seventh line of the second section and insert in place thereof *Shelby*—and in the sixth line of the same section, strike out the word "Shelby" and insert *Ralls*.

*F

Which was read a first time.

Objections being made thereto.

The question, shall the ryder be rejected?

Was determined in the negative as follows.

Ayes—Messrs. Ashby, Byrd, Dawson, Jones of Pike, McClelland, McDaniel, Sterigere and Walsh—9.

Nays—Messrs. Campbell, Deguire, Goforth, Gorham, Montgomery, Rawlins Robison, Smith, Thompson, Valle, Vanarsdall, Weaver and Williams—13.

Mr. Lee absent.

The ryder was read a second time, and

On motion of Mr. Smith

The bill together with the ryder was laid on the table.

On motion of Mr. Robison.

A bill from the House of Representatives entitled

“An act to incorporate the Louisiana and Columbia Rail Road Road Company,”

Was taken up, and the Senate receded from that part of their amendment, to said bill that the House of Representatives had disagreed to.

On motion of Mr. Smith,

“The bill to regulate the apportionment of representation among the several counties,”

Was taken up, and the ryder was ordered to be engrossed, and it was read a third time.

Mr. Weaver moved

To amend the bill by way of ryder, by striking out of the fifteenth line of the second section, the word “two” and insert *one*.

The ryder was read a first time.

The question, shall the ryder be rejected?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, Rawlins, Robison, Smith, Thompson and Walsh.—14.

Nays—Messrs. Byrd, McDaniel, Montgomery, Sterigere, Vanarsdall, Valle, Weaver and Williams—8.

Mr. Deguire absent.

Mr. McDaniel moved to amend by way of ryder, by striking out the word “Marion,” of the ninth line of the first section and insert it before the word “three” in the fourth line of said section.

Which was read a first time.

No objection being made thereto,

It was read a second time and was considered as engrossed, and

Was read a third time and

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Montgomery,

Rawlins, Robison, Smith, Sterigere, Vanarsdall, Valle and Walsh—19
Nays—Messrs. Byrd, Weaver and Williams—3

Mr Deguire absent.

Ordered that the title of the bill be

“An act” &c. as aforesaid.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had presented to the governor for his approval, an enrolled bill entitled,

“An act to incorporate the Southern Rail Road Company of Missouri.”

On motion of Mr. McClelland

The amendments made by the House of Representatives to a bill to define the Southern boundary of Jackson county,

Were taken up, considered and disagreed to by the Senate.

On motion of Mr. Thompson,

The amendments made by the House of Representatives, to a bill entitled,

“An act to incorporate the Union Insurance Company of St. Louis”

Were considered and concurred in by the Senate.

Mr. Jones of Cooper from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

“A bill for the relief of Thomas Shannon.”

“A bill to incorporate the Liberty Hotel Company.”

“A bill to incorporate the St. Charles Insurance Company.”

An engrossed bill from the House of Representatives, entitled,

“An act to regulate the collection of costs in criminal cases,”

Was read a first time, and

It passed to a second reading.

An engrossed bill from the House of Representatives, entitled,

“An act for the relief of Valentine Heifner,”

Was read a first time.

On motion of Mr. Valle,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time.

Mr. Valle offered the following,

As an amendment to come in before the enforcing clause,

And all the costs attending said prosecution shall be audited by the court, as in case of the acquittal of the defendant, and the clerk of the circuit court of Cape Girardeau county shall make out a full statement of such costs, and certify the same to the Auditor of Public Accounts, who shall draw his warrant on the Treasurer therefor.

Which was adopted, and

The amendment was ordered to be engrossed and together with the bill

To be read a third time on to-morrow.

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House,

on the orders of the day, Mr. Thompson in the chair, and after some time spent therein, the committee rose and the chairman reported that the committee had considered

Bills from the House of Representatives entitled,

"An act to provide for Surveyors and Assessors in the new counties."

"An act declaring the present county road from Lexington in Lafayette county, to the county line of Johnson county by Jas. Greer's a state road and for other purposes."

"An act to survey and mark out a state road."

"A memorial to Congress on the subject of attaching Saline and other counties to the Lexington land district." And

"A joint resolution allowing costs which accrued in the trial of a slave for murder." And bills entitled

"A bill to divorce Joab Mobley and Sally his wife."

"A bill to pay persons therein named."

"A bill to incorporate the Lagrange and Monticello Rail Road Company."

"A bill to construct the Mississippi and Iron Mountain Rail Road."

Each of which the committee had instructed him to report to the Senate without amendment, except the last, and he was instructed by the committee to recommend to the Senate to refer the consideration of that to the next General Assembly.

Mr. Vanarsdall moved,

To disagree to so much of the report as proposed to refer the consideration of the last mentioned bill to the next General Assembly.

The question, will the Senate disagree to that part of the report?

Was determined in the negative as follows:

Ayes—Messrs. Campbell, McDaniel, Montgomery, Rawlins, Smith, Valle and Vanarsdall.—8.

Nays—Messrs. Ashby, Byrd, Lawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, McClelland, Sterigere, Thompson, Walsh, Weaver and Williams.—14.

Mr. Robison absent.

Whereby the bill was rejected.

The report in relation to each of the other bills was agreed to.

On motion of Mr. Smith,

The bill mentioned sixth in the report

Was laid on the table.

The bills mentioned first, second, third, fourth and fifth in the report,

Were severally ordered to a third reading on to-morrow.

Those mentioned seventh and eighth were ordered to be engrossed, and

To be read a third time on to-morrow.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There has this day passed the House of Representatives, a bill entitled

"An act to incorporate the trustees of the Columbia Female Academy."

Which is herewith submitted.

On motion of Mr. McDaniel,

"A bill to incorporate the Hannibal, Paris and Grand river Rail Road Company,"

Was taken up, and
Read a third time.

Mr. Ashby moved,

To amend the bill by way of ryder,
Which was read a first time.

No objections being made, the ryder

Was read a second time and was considered as engrossed, and
Was read a third time.

On motion of Mr. Ashby,

The Senate ordered that the Secretary omit spreading the ryder above referred to on the journals.

Mr. McDaniel moved,

To amend the bill by way of ryder, by inserting in the first line of the first section after the words "there shall be," the words *and is hereby*, in the second section, after the name of "Daniel Ashby," insert Elias T. Langham, Theodore L. McGill, William B. Clifton, Churchill Samuel, Zachariah G. Draper, Samuel F. Life, and Augustus McDonald.

Which was read a first time.

No objections being made,

The ryder was read a second time and was considered as engrossed, and

Was read a third time, and

The bill together with the ryder passed.

Mr. Jones of Pike, asked and obtained leave to introduce

"A bill to legalize the sale of certain Saline lands to Samuel Stephenson, and for other purposes."

Which was read a first time, and

It passed to a second reading.

On motion,

The Senate adjourned,

TUESDAY, JANUARY 24, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled bills, reported, that the committee had examined and found truly enrolled, bills entitled,

"An act to incorporate the St. Louis and Bellvieu Rail Road Company."

"An act to repeal the charter of the St. Louis Railway Company."

"An act for the relief of Peter A. Laforge."

"An act to incorporate the Medical Society of Missouri at Saint Louis."

"An act to amend an act to incorporate the Marine Insurance Company of St. Louis." And

"A joint resolution for the relief of Charles J. Drury."

Mr. Vanarsdall asked and obtained leave to introduce

"A bill to revive and perpetuate the thirty-eighth section of the law regulating the school fund,"

Which was read a first time, and

It passed to a second reading.

Mr. Valle asked and obtained leave to introduce

"A bill to incorporate the Ste. Genevieve Insurance Company,"

Which was read a first time, and

It passed to a second reading.

Mr. Williams asked and obtained leave to introduce

"A bill to incorporate the Jefferson City Wharf Company,"

Which was read a first time; and

It passed to a second reading.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives, bills entitled,

"A bill supplementary to an act entitled, an act to provide for levying, assessing and collecting the revenue."

"A bill appropriating money to pay George C. Dale, for services rendered as Librarian."

"A bill respecting the apportionment and assignment of dower in slaves."

"A bill to establish an Academy in the town of Florida Monroe county."

"A bill to amend an act entitled, an act to establish judicial districts and circuits and to prescribe the times and places of holding courts." Approved January 21st, 1837.

"A bill to prescribe the manner of recovering fines, penalties and forfeitures."

The House has rejected the resolutions to abolish the second section of the third article of the constitution of this state.

The House has passed bills entitled,

"An act to incorporate the Florida and Paris Rail Road Company."

"An act providing for the location of the county seat of Macon county."

"An act to incorporate the St. Louis Floating Dock and Insurance Company."

"An act to establish a state road from Ste. Genevieve to Caledonia and from Caledonia to Courtois Mines."

"An act to incorporate the Stockholders of the St. Louis Theatre."

"An act to charter the Herculaneum Bridge Company in the county of Jefferson."

"An act to incorporate the Southern Rail Road Company."

"An act to charter the Hannibal and New London Turnpike Company."

"A resolution to refund money to Lewis Bolton."

"An act to provide for the sale of the Franklin Academy."

"An act to establish a state road."

"An act to allow Henry Lassater and others compensation for services rendered the state."

"An act to incorporate the Liberty Rail Road Company."

"An act to incorporate the board of curators of St. Charles College." And

"An act to provide for building a capitol."

Which are herewith submitted for the concurrence of the Senate.

The Speaker of the House of Representatives has this day signed enrolled bills, entitled

"An act to incorporate the St. Louis and Bellevue Mineral Rail Road."

"An act to repeal the charter of the St. Louis Marine Railway Company."

"An act for the benefit of Peter A. Laforge."

"An act to incorporate the Medical Society of Missouri at Saint Louis."

"An act to amend an act entitled an act to incorporate the Marine Insurance Company of St. Louis." And

"A joint resolution for the relief of Charles J. Drury"

All of which are herewith submitted for the signature of the President of the Senate."

The president signed said bills and they were delivered to the committee on enrolled bills, to be presented to the Governor, for his approval and signature.

Mr. Jones of Cooper from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed,

"A bill to incorporate the Lagrange and Monticello Rail Road Company." And

"A bill to pay persons therein named."

An engrossed bill from the House of Representatives entitled

"An act to regulate the collection of costs in criminal cases,"

Was read a second time, and

Committed to a committee of the Whole House.

"A bill to legalize the sale of Saline Lands, and for other purposes"

Was read a second time and

Committed to a committee of the Whole House.

A bill from the House of Representatives, allowing costs in the trial of a Slave,

Was read a third time.

The question shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Thompson, Valle and Walsh—17.

Nays—Messrs. Byrd, Smith, Sterigere, Vanarsdal, Weaver and Williams.—6

An engrossed bill from the House of Representatives for the relief of Valentine Heifner,

Was read a third time.

The question shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Thompson, Valle, Vanarsdall and Walsh—17.

Nays—Messrs. Byrd, Jones of Cooper, Sterigere, Weaver and Williams—5.

An engrossed bill from the House of Representatives, entitled
“An act to view and mark out a state road.”

Was read a third time.

Mr. Montgomery moved

To amend the bill, by way of ryder, by inserting in the eighth line of the seventh section, “out of the three per cent fund or county treasury, at the discretion of said courts.” Also, to come in at the end of the fifth section, “by the persons subject to work on roads, in the respective counties through which the road passes.” And, add as an additional section, “It shall be the duty of the Secretary of State, immediately after the passage of this act, to notify the above named commissioners of their appointment, and the time and place of their meeting.”

Which was read a first time.

No objections being made,

The ryder was read a second time, and was considered as engrossed and

Was read a third time, and

The bill together with the ryder passed.

Engrossed bills from the House of Representatives, entitled,

“An act declaring the present county road from the town of Lexington to the county line of Johnson by James Greer’s, a state road, and for other purposes.”

“An act to provide for the appointment of surveyor and assessor, in the new counties.”

“A memorial to Congress on the subject of attaching Saline, and other counties to the Lexington Land District.”

Were severally read a third time and they passed.

“A bill to incorporate the Liberty Hotel Company.”

"A bill to incorporate the Lagrange and Monticello Rail Road Company." And

"A bill to incorporate the St. Charles Insurance Company."

Were severally read a third time and they passed.

Ordered that the title of each be

"An act" &c. as aforesaid, and

"A bill for the relief of Thomas Shannon,"

Was read a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows.

Ayes—Messrs. Asby, Goforth, Jones of Cooper, Lee, McClelland, McDaniel, Montgomery, Rawlins, Smith, Sterigere, Valle, Walsh, Weaver and Williams,—14.

Nays—Messrs. Byrd, Campbell, Dawson, Gorham, Jones of Pike, Robison and Vanarsdall—8.

Ordered that the title be,

"An act" &c. as aforesaid.

"A bill to pay persons therein named."

Was read a third time.

The question shall the bill pass?

Was determined in the negative as follows:

Ayes—Messrs. Gorham, Lee, McDaniel, Rawlins, Robison, Sterigere, Valle, Walsh, Weaver and Williams—9.

Nays—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Jones of Pike, McClelland, Montgomery, Smith and Thompson—12.

Whereby the bill was rejected.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 25, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled

"An act to incorporate the Union Insurance Company of the city of St. Louis."

"An act to incorporate the Salt River Navigation Company."

"A memorial to Congress to attach certain territory to the Lexington Land District."

"A joint resolution to allow costs in the trial of a slave."

"A bill to incorporate the Jefferson City Wharf Company."

"A bill to incorporate the Ste. Genevieve Insurance Company."

"A bill to revive and perpetuate the thirty eighth section of an act to regulate the School Fund."

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Were each read a Second time, and they were severally Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, entitled, "An act to incorporate the Trustees of the Columbia Female Academy."

Was read a first time.

On motion of Mr. Robison,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and it

Was ordered to a third reading on to-morrow.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled

"A bill to incorporate the University of Missouri.

"A bill amendatory of an act to regulate the sale of the sixteenth sections, and to provide for organizing, regulating, and perpetuating common Schools."

"A bill supplementary to an act to provide for levying, assessing and collecting the revenue."

"A bill to regulate, govern, and discipline, the Militia of the State of Missouri."

"A bill to regulate the fees of commissioners in chancery."

"A bill to amend an act to regulate the practice in courts of chancery." Approved March 7, 1835.

"A bill to provide for finishing the State Penitentiary."

"A bill to pay Shadrick Perry, for property lost in the service of the State."

"A bill supplementary and amendatory to an act to provide for the recovery of debts by attachment."

The House has passed bills entitled

"An act to build a bridge across Loutre creek."

"An act concerning school lots in the town of St. Ferdinand, (commonly called Florissant) in the county of St. Louis."

"An act to dissolve the bonds of Matrimony, existing between Joseph Hamilton and Rebecca Hamilton his wife."

"An act to divorce Rebecca Ruggles, late Rebecca Smith, from the bonds of Matrimony, by her contracted with Edmund L. Ruggles."

"An act to build the Wyconda bridge."

"An act to establish the Pike Academy."

"An act to amend an act entitled an act to establish a State Penitentiary, and to regulate the same," and

"An act supplementary to an act to establish judicial districts and circuits, and to prescribe the times and places of holding courts."

In which the concurrence of the Senate is requested.

The Speaker of the House has this day signed enrolled bills, entitled

"An act to incorporate the Union Insurance Company of the city of St. Louis."

"An act to incorporate the Salt River Navigation Company."

"A memorial to Congress, to attach a certain territory to the Lexington Land District." And

"A joint resolution to allow costs in the trial of a slave."

Which are herewith submitted for the signature of the President of the Senate.

The president signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

On motion of Mr. Weaver,

The further orders of business were passed over and

The Senate resolved itself into a committee of the Whole House on the orders of the day, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee had taken into consideration a bill from the House of Representatives, entitled,

"An act to charter the Union Bank of Missouri." And

Had progressed somewhat in the consideration of said bill, but asked leave to sit again thereon.

Which was granted by the Senate.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had presented to the Governor for his approval, enrolled bills entitled

"An act to incorporate the St. Louis and Bellevue Rail Road."

"An act to repeal the charter of the St. Louis Marine Railway Company."

"An act for the benefit of Peter A. Laforge."

"An act to incorporate the Medical Society of Missouri, at Saint Louis."

"An act to amend an act entitled an act to incorporate the Marine Insurance Company of St. Louis."

"A resolution for the relief of Charles J. Drury."

"An act to incorporate the Union Insurance Company of Saint Louis."

"An act to incorporate the Salt River Navigation Company."

"A memorial to Congress to attach certain territory to the Lexington land district." And

"A joint resolution to allow costs to certain persons, which accrued in the trial of a slave."

On motion of Mr. Williams,

The Senate went into secret session, on executive business.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 26, 1837.

THE Senate met pursuant to adjournment.

On motion of Mr. Smith,

The Senate went into secret session, on executive business,

After which

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT, }
January 25, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed

“An act for the relief of Peter A. Laforge.”

Most respectfully,

your obedient servant,

LILBURN W. BOGGS.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled,

“An act to incorporate the St. Louis Hotel Company of the city of St. Louis,” and

“An act to provide for the appointment of surveyors and assessors in the new counties.”

Mr. Sterigere gave notice, that he would on to-morrow ask leave to introduce a bill to establish a state road.

An engrossed bill from the House of Representatives, entitled
“An act to incorporate the Trustees of the Columbia Female Academy.”

Was read a third time and it passed.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives bills entitled,

“A bill making additional allowances for transporting convicts to the Penitentiary.”

“A bill to incorporate the United Society of Journeymen Cabinet Makers of the city of St. Louis.”

“A bill to incorporate the Trust and Loan company of St. Louis.”

“A bill for the relief of Moses Burton and Jesse Garner.”

“A bill to incorporate the Bailey’s Landing Rail Road Company.”

The House has passed bills entitled,

“An act to reduce the taxes.”

“An act to amend an act entitled, an act to license and tax Merchants.”

Which are herewith submitted for the action of the Senate.

Engrossed bills from the House of Representatives entitled,

"An act supplementary to an act entitled, an act to establish judicial districts and circuits and to prescribe the times and places of holding courts."

"An act to incorporate the Paris and Florida Rail Road Company."

"An act to dissolve the bonds of matrimony between Joseph Hamilton and Rebecca Hamilton his wife."

"An act to divorce Rebecca Ruggles late Rebecca Smith from the bonds of matrimony contracted with E. L. Ruggles."

Were severally read a first time, and

They passed to a second reading.

An engrossed bill from the House of Representatives entitled

"An act to build the Wyconda bridge,"

Was read a first time.

Mr. Ashby objected, and

The question, shall the bill be rejected?

Was put, and

On motion of Mr. Ashby,

The bill was laid on the table.

An engrossed bill from the House of Representatives entitled,

"An act to establish the Pike Academy,"

Was read a first time.

On motion of Mr. Robison,

The rule which requires bills to be read on three several days, was dispensed with—and

The bill was read a second time, and

It was ordered to a third reading on to-morrow.

An engrossed bill from the House of Representatives entitled,

"An act concerning School Lands in the town of St. Ferdinand, (commonly called Florissant) in St. Louis county,"

Was taken up.

On motion of Mr. Campbell,

The rule which requires bills to be read on three several days was dispensed with, and

The bill read a first and second time, and

It was ordered to a third reading on to-morrow.

An engrossed bill from the House of Representatives, entitled

"An act to build a bridge across Loutre creek,"

Was read a first time,

Objections being made,

The question, shall the bill be rejected?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, Gorham, Jones of Cooper, McClelland, Montgomery, Sterigere, Valle, Weaver and Williams.—13.

Nays—Messrs. Campbell, Dawson, Jones of Pike, Lee, Rawlins, Robison, Smith, Thompson and Walsh.—9.

Mr. McDaniel absent sick.

An engrossed bill from the House of Representatives, entitled
"An act to build the Wyconda bridge,"

Was taken up.

Objections were made thereto, and

The question, shall the bill be rejected?

Was determined in the affirmative.

On motion of Mr. Smith,

The Senate went into secret session, on executive business,

After which,

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day passed bills entitled,

"An act supplementary to an act entitled, an act to regulate the apportionment of the Road and Canal Fund. Approved January 17, 1837.

Which is herewith returned to the Senate. Also

"An act to incorporate the Marion Insurance Company,"

Which is herewith returned.

"An act to incorporate the Hannibal, Paris and Grand river Rail Road Company," with an amendment,

Which is herewith submitted with the bill for the concurrence of the Senate.

The Speaker of the House has this day signed enrolled bills entitled

"An act to incorporate the St. Louis Hotel Company of the city of St. Louis," and

"An act to provide for the appointment of surveyors and assessors in the new counties."

Both of which is herewith submitted for the signature of the President of the Senate.

The President signed said bill and they were delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

On motion of Mr. Smith,

The Senate went into secret session on executive business, after which,

On motion of Mr. Byrd,

The Senate resolved itself into a committee of the Whole House, Mr. Robison in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee had resumed the consideration of a bill from the House of Representatives, entitled

"An act to charter the Union Bank of Missouri," and

Had made some further progress in the consideration thereof, but asked leave to sit again thereon.

The Senate granted leave.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT,
January 12, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed

“An act to incorporate the Union Insurance Company of the city of St. Louis.”

Most respectfully

Your obedient servant,

LILBURN W. BOGGS.

Mr. Montgomery from the joint committee on Enrolled bills, reported that said committee had presented to the Governor for his approval, enrolled bills entitled,

“An act to incorporate the St. Louis Hotel Company of the city of St. Louis,” and

“An act to provide for the appointment of surveyors and assessors in the new counties.”

On motion

The Senate adjourned.

FRIDAY, JANUARY 27, 1837.

The Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled

“An act supplementary to an act entitled an act to regulate the apportionment of the Road and Canal Fund.”

“An act to incorporate the town of St. Charles.”

“An act for the relief of Valentine Heifner.” And

“An act to incorporate the Louisiana and Columbia Rail Road Company.”

Mr. Thompson asked and obtained leave and introduced,

“A bill for the relief of Daniel B. Holdman.”

Which was read a first time, and

On his motion,

The rule requiring bills to be read on three several days, was dispensed with, and the bill

Was read a second time, and was considered as engrossed, and it

Was ordered to a third reading on to-morrow.

Mr. Vanarsdal gave notice that he would on to-morrow, ask leave to introduce

“A bill to publish a new State Map.”

Engrossed bills from the House of Representatives, entitled
 "An act to divorce Rebecca Ruggles, late Rebecca Smith, from the bonds of Matrimony by her contracted with E. L. Ruggles."

"An act to dissolve the bonds of matrimony existing between Joseph Hamilton and Rebecca Hamilton his wife."

"An act to incorporate the Paris and Florida Rail Road Company"

Were each read a second time, and

They were severall ordered to a third reading on to-morrow.

An engrossed bill from the House of Representatives entitled

"An act supplementary to an act to establish judicial districts and circuits, and to prescribe the times and places of holding courts."

Was read a second time.

Mr. Sterigere offered an amendment, which together with the bill

Was committed to a committee of the whole House

Engrossed bills from the House of Representatives entitled,

"An act to establish the Pike Academy."

"An act concerning school lands in the town of St Ferdinand, (commonly called Florisant,) in the county of St. Louis,"

Were each read a third time and they severally passed.

Message from the House of Representatives, by Mr. Ralls

MR. PRESIDENT—The House of Representatives have this day passed bills from the Senate entitled

"An act to incorporate the Herculaneum Steam Flouring Mill Company."

"An act to incorporate the Mine a'Lamotte and Mississippi Rail Road Company."

"An act to incorporate the Holstien Female Academy at Kennonsville.

Which are herewith returned to the Senate.

The House of Representative have concurred in the amendments made by the Senate to the bills which originated in the House of the following titles:

"An act to review and mark out a state road." And

"An act for the relief of Valentine Heifner."

The House has disagreed to the amendments made by the Senate to a bill which originated in the House of Representatives, of the following title, to-wit:

"An act to incorporate the St. Louis and Fayette Rail Road Company."

The bill and amendments are herewith returned to the Senate.

The House has rejected a bill from the Senate of the following title, to-wit:

"An act supplementary to an act regulating writs and process."

Which is herewith returned to the Senate.

The House have passed bills from the Senate entitled.

"An act giving certain powers to the Mayor and Board of Aldermen of the city of St. Louis."

"A memorial to Congress on the subject of the Santa Fe trade."

With amendments to each, in which the concurrence of the Senate is requested.

The House has also passed bills entitled,

"An act to amend an act to license Grocers."

"An act to incorporate the Palmyra and Marion City Turnpike Company."

"An act to incorporate the Camden Saw and Grist Mill Company."

"An act to incorporate an academy in the town of Florida." And

"An act for the relief of Moses Burton and Jesse Garner."

Which are herewith submitted for the concurrence of the Senate.

The Speaker of the House of Representatives has this day signed enrolled bills of the following titles, to-wit:

"An act supplementary to an act entitled, an act to regulate the apportionment of the Road and Canal Fund."

"An act to incorporate the town of St. Charles."

"An act for the relief of Valentine Heifner." And

"An act to incorporate the Louisiana and Columbia Rail Road."

All of which are herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled bills to be presented to the Governor for his approval and signature.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives, have passed a bill entitled,

"An act to incorporate the Missouri Life Insurance and Trust Company,"

Which is herewith submitted for the concurrence of the Senate.

Engrossed bills from the House of Representatives, entitled

"An act to amend an act entitled, an act to establish a state Penitentiary and to regulate the same."

"An act to establish a state road."

"An act for the location of the county seat of Macon county."

"An act to provide for the sale of the Franklin academy."

"An act to incorporate the curators of the St. Charles College."

"An act to incorporate the Stockholders of the St. Louis Theatre."

Were each read a first time, and

They were severally ordered to a second reading.

An engrossed bill from the House of Representatives entitled

"An act to reduce the taxes,"

Was read a first time.

On motion of Mr. Sterigere,

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The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and

On motion of Mr. Sterigere,

It was referred to the committee of Ways and Means.

An engrossed bill from the House of Representatives, entitled
"An act to incorporate the St. Charles Rail Road,"

Was taken up.

On motion of Mr. Campbell,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a first and second time, and it was

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives entitled,

"An act to amend an act entitled, an act to license and tax merchants,"

Was read a first time.

On motion of Mr. Weaver,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and

Was referred to the committee on Ways and Means.

An engrossed bill from the House of Representatives entitled,

"An act to provide for building a capitol and for other purposes,"

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and it was

Committed to a committee of the Whole House.

An engrossed resolution from the House of Representatives, to refund money to Lewis Bolton,

Was read a first time.

On motion of Mr. Dawson,

The rule which requires bills to be read on three several days was dispensed with, and

It was read a second time, and

On his motion,

It was referred to the committee on Claims.

An engrossed bill from the House of Representatives, entitled,

"An act to compensate Henry Lasseter and others for services rendered the state,"

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and

On motion of Mr. Thompson,

It was referred to the committee on Claims.

An engrossed bill from the House of Representatives, entitled,
 "An act to incorporate the Southeastern Rail Road Company,"
 Was read a first time.

On motion of Mr. Dawson,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and third time, and it passed.

An engrossed bill from the House of Representatives, entitled,
 "An act to charter the Hannibal and New London Turnpike Company,"
 Was taken up.

On motion of Mr. Smith,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a first and second time, and

On motion of Mr. McDaniel,

The rule was again dispensed with, and

The bill was read a third time.

Mr. Vanarsdall moved to amend by way of ryder, by adding as a tenth section, *this act to take effect and be in force from and after its passage.*

The ryder was read a first and second time and was considered as engrossed, and it

Was read a third time,

The question, shall the bill together with the ryder pass?

Was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Vanarsdall, Walsh and Williams.—19.

Nays—Messrs. Byrd, Valle and Weaver.—3.

Mr. McClelland absent sick.

An engrossed bill from the House of Representatives entitled
 "An act to charter the Herculanum Bridge Company," was taken up.

On motion of Mr. Robison

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a first and a second time.

On motion of Mr. Sterigere,

The same rule was again dispensed with, and

The bill was read a third time.

Mr. Sterigere moved

To lay the bill on the table.

After some conversation about the propriety of adopting the last mentioned motion,

On motion of Mr. Jones of Cooper,

The Senate resolved itself into a committee of the Whole House, on the orders of the day, Mr. Rawlins in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had again resumed the consideration of a bill from the House of Representatives, entitled

“An act to charter the Union Bank of Missouri,” and

Had made some further progress in the consideration thereof, but had passed it over, and asked leave to sit again thereon. Also

A bill from the House of Representatives, entitled

“An act to provide for building a capitol and for other purposes,”

And had instructed him to report it to the Senate with amendments.

The Senate agreed to the report and granted the leave which the committee asked, and the amendments made to the bill mentioned last in the report,

Were ordered to be engrossed, and together with the bill

To be read a third time to morrow,

On motion

The Senate adjourned.

SATURDAY, JANUARY 28, 1837.

THE Senate met pursuant to adjournment.

Mr. Rawlins presented a petition of John W. McGirk, guardian of the infant heirs of George McGirk, praying an act to authorize said guardian, to convey certain real estate, which is the property of said infants.

Which from his motion,

Was referred to the committee on Civil Judicature.

Mr. Ashby presented a petition of a number of the inhabitants of the county of Livingston, praying the attachment of certain territory to said county,

Which on his motion,

Was referred to a Select committee.

Messrs. Ashby, Rawlins, and Jones of Pike, were appointed that committee.

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

Amendments made by the Senate to a bill from the House of Representatives, to provide for building a capitol and for other purposes.

Mr. Montgomery from the joint committee on Enrolled Bills reported as truly enrolled, bills entitled

“An act declaring the present road from the town of Lexington in Lafayette county, to the line of Johnson county, by James Greer’s, a state road and for other purposes.” And

"An act for surveying and marking out a state road from Elkhorn by Plattsburg, to the western boundary line."

Mr. Montgomery from the same committee, reported that the committee had presented to the Governor for his approval, enrolled bills, entitled,

"An act to incorporate the town of St. Charles."

"An act for the relief of Valentine Heifner." And

"An act supplementary to an act to regulate the apportionment of the road and canal fund."

Mr. Sterigere pursuant to notice, asked and obtained leave and introduced

"A bill to establish a state road,"

Which was read a first time.

On motion of Mr. Weaver,

The rule which required bill to be read on three several days, was dispensed with, and

The bill was read a second time,

Mr. Weaver proposed

To amend the bill by inserting in the fifth line of the second section, after the word *day*, "and each overseer and hand shall receive one dollar for each day they may actually be employed."

Which was rejected, and

The rule being dispensed with,

The bill was read a third time and it passed.

Ordered that the title be,

"An act &c." as aforesaid.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—There have been introduced into the House of Representatives, bills entitled,

"A bill to refund money to Lewis Bolton."

"A bill authorizing the survey of the Osage river."

"A bill amendatory to an act entitled an act concerning crimes and their punishments," approved March 20, 1835.

"A bill to establish a permanent fund for the use and support of common schools."

"A bill for defraying the funeral expenses of Members of the General Assembly."

"A bill providing for enclosing and erecting tombs over the honorable Yelverton O'Bannon and the honorable Hardy Allard."

The House has rejected a bill from the Senate entitled,

"An act for the relief of Callaway county."

Which is herewith returned.

The House have passed bills entitled

"An act to survey and mark out certain state roads."

"An act amendatory to an act to regulate the Treasury Department."

"An act to incorporate the Bailey's Landing Rail Road Company"

"An act to incorporate the Jefferson Seminary."

"An act amendatory to an act entitled an act to provide for levying assessing and collecting the revenue." And

"A Federal resolution."

Which are herewith submitted for the concurrence of the Senate.

The Speaker of the House of Representatives has signed enrolled bills entitled

"An act respecting constables."

"An act declaring the present road from the town of Lexington, in Lafayette county, to the county line of Johnson county by James Greer's, a state road and for other purposes," and

"An act for surveying and marking a state road from Elkhorn by Plattsburg, to the western boundary line."

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Engrossed bills from the House of Representatives entitled,

"An act to amend an act entitled an act to establish a state Penitentiary, and to regulate the same."

"An act to incorporate the Stockholders of the St. Louis Theatre."

Were each read a second time, and

Committed to a committee of the Whole House.

Engrossed bills from the House of Representatives entitled,

"An act to incorporate the Curators of the St. Charles College."

"An act to provide for the sale of the Franklin Seminary." And

"An act to locate the county seat of Macon county."

Were each read a second time, and

They were severally ordered to a third reading on Monday next.

An engrossed resolution from the House of Representatives, to refund money to Lewis Bolton, which had been reported back to the Senate by Mr. Goforth, from the committee on claims, without amendment,

Was read a second time and

Ordered to a third reading on Monday next.

An engrossed bill from the House of Representatives entitled

"An act to dissolve the bonds of Matrimony between Joseph Hamilton and Rebecca Hamilton, late Rebecca Marcum, his wife,"

Was read a third time, and

The question, shall the bill pass?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Sterigere, Vanarsdall, Weaver and Williams—10

Nays—Messrs. Byrd, Campbell, Dawson, Jones of Pike, Lee, Thompson, Valle and Walsh—8.

Mr. Gorham was excused from voting.

Messrs. Deguire, Robison and Smith absent.

An engrossed bill from the House of Representatives entitled
 "An act to divorce Rebecca Ruggles, late Rebecca Smith, from
 the bonds of matrimony, by her contracted with E. L. Ruggles,"

Was read a third time.

The question shall the bill pass?

Was decided in the negative as follows:

Ayes—Messrs. Ashby, Goforth, McCelland, McDaniel, Montgomery, Rawlins, Weaver and Williams—8.

Nays—Messrs. Byrd, Campbell, Dawson, Gorham, Jones of Cooper, Jones of Pike, Lee, Thompson, Valle, Vanarsdall and Walsh—11
 Messrs. Deguire, Smith and Sterigere absent.

An engrossed bill from the House of Representatives entitled
 "An act to incorporate the Liberty Rail Road Company."

Was read a third time and it passed.

An engrossed bill from the House of Representatives entitled
 "An act to incorporate the Florida and Paris Rail Road Company"

Was read a third time and it passed.

An engrossed bill from the House of Representatives entitled
 "An act to provide for building a capitol and for other purposes."

Was read a third time.

Mr. Goforth proposed

To amend the bill by way of ryder, by striking out of the second
 and third lines of the sixth section, the word "one hundred," and in-
 sert in place thereof *fifty*.

Objections were made.

Mr. Ashby proposed to amend the ryder by striking out "fifty"
 and inserting *eighty*

Which amendment was rejected.

The question recurred on the rejection of the ryder offered by
 Mr. Goforth, and

It was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Gorham, Lee, McClelland, Robison, Smith, Sterigere, Vanarsdall, Walsh, Weaver and Williams.—14.

Nays—Messrs. Deguire, Goforth, Jones of Cooper, Jones of Pike, McDaniel, Montgomery, Rawlins, Thompson and Valle.—9.

Mr. Campbell proposed to amend the bill by way of ryder, by
 striking out "one hundred" and inserting *seventy-five*.

Which was read a first time.

Objections being made,

Mr. Smith proposed to amend the ryder, by striking out "seventy-
 five" and inserting *ninety*.

Which was rejected.

The question recurred on the rejection of the ryder, and

It was determined in the negative, as follows:

Ayes—Messrs. Byrd, Lee, McClelland, Robison, Smith, Sterigere, Vanarsdall, Walsh and Williams.—9.

Nays—Messrs. Ashby, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, McDaniel, Montgomery, Rawlins, Thompson, Valle and Weaver.—14.

The ryder was read a second time and considered as engrossed, and

Was read a third time.

Mr. Campbell proposed to amend the bill by way of ryder, by adding as a twelfth section, "said commissioners may build separate convenient fire-proof buildings for the use of the officers of state, if they believe such course would be most advantages to the state."

Which was read a first time,

Objections were made thereto, and

The ryder was rejected.

Mr. Jones of Cooper proposed to amend the bill by way of ryder by adding to the tenth section, "provided however, the state retain the power to pay the same at any time after the expiration of twenty-five years"

Which was read a first time.

No objections being made,

The ryder was read a second time and was considered as engrossed, and

It was read a third time.

Mr. Byrd proposed to amend the bill by way of ryder, by striking out the eleventh section, and inserting in place thereof, "the president of the Senate shall appoint three on the part of the Senate and the Speaker of the House of Representatives shall appoint nine members of this General Assembly, whose duty it shall be to examine and report the most suitable spot of ground on which to erect a capitol."

Which was read a first time,

Objections were made thereto, and

The question, shall the ryder be rejected?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams.—21.

Nays—Messrs. Byrd and Gorham.—2.

Mr. Smith proposed to amend the bill by way of ryder, by prefixing the following to the eighth section: "the commissioners shall sell on a credit of six, twelve and eighteen months, at public sale to the highest bidder the present state house, with the lots thereto appertaining, and"

Which was read a first time,

No objections being made,

The ryder was read a second time and it was considered as engrossed.

sed, and

Was read a third time, and

The bill together with its several engrossed amendments and riders passed.

On motion of Mr. McDaniel,

An engrossed bill entitled,

"An act to incorporate the Hannibal, Paris and Grand river rail road company,"

Was taken up, and

The amendments made thereto by the House, were considered and concurred in by the Senate.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had presented to the Governor for his approval, enrolled bills entitled

"An act declaring the present county road from the town of Lexington, in Lafayette county, to the county line of Johnson county, by James Greer's, a state road and for other purposes."

"An act for surveying and marking out a state road from Elkhorn by Plattsburgh to the western boundary line." And

"An act to amend an act respecting constables."

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have this day adopted the separate resolutions which give the printing of the Laws and Joint Resolutions of the present General Assembly, to Calvin Gunn, and the printing of the Journals of both Houses of the present session of the General Assembly, to Messrs. A. B. Chambers and O. Harris. The resolutions together with the report of the committee on Printing, made to the House of Representatives, are herewith submitted to the Senate for their action on the resolutions.

The Speaker of the House has this day signed enrolled bills, entitled

"An act to incorporate the Mine a'Lamotte and Mississippi rail road company."

"An act to establish a state road from the City of Griswold to Herculaneum."

"An act to incorporate the Herculaneum Steam Flouring Mill Company." And

"An act to incorporate the Marion Insurance Company."

All of which are herewith submitted for the signature of the President of the Senate."

The president signed said bills and they were delivered to the committee on enrolled bills, to be presented to the Governor, for his approval and signature.

Mr. Gorham from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled,

*I

"An act to incorporate the Marion Insurance Company."

"An act to incorporate the Mine a'Lamotte and Mississippi Rail Road Company."

"An act to incorporate the Herculanum Steam Flouring Mill Company."

"An act to establish a state road from the City of Griswold to Herculanum."

On motion of Mr. Sterigere,

The Senate resolved itself into a committee of the Whole House on the orders of the day, Mr. Jones of Cooper in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee had again taken into consideration an engrossed bill from the House of Representatives entitled,

"An act to charter the Union bank of Missouri," and

Had instructed him to report to the Senate that the committee had made some further progress in its consideration, but asked leave to sit again thereon,

Which was granted by the Senate.

On motion of Mr. Smith,

The Senate went into secret session, on executive business.

MONDAY, JANUARY 30, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, bills entitled,

"An act entitled an act to incorporate the St. Louis Insurance Company."

"An act to incorporate the Farmers and Mechanics Insurance Company of St. Louis."

"An act to incorporate the Cape Girardeau Insurance Company."

And

"An act to view and mark out a state road."

Mr. Montgomery from the joint committee on Enrolled bills, reported that the committee had presented to the Governor for his approval, enrolled bills entitled,

"An act to establish a state road from the City of Griswold to Herculanum."

"An act to incorporate a Steam Flouring Mill Company at Herculanum in the county of Jefferson."

"An act to incorporate the Marion Insurance Company."

"An act to incorporate the Mine a'Lamotte and Mississippi Rail Road Company."

Mr. Vanarsdall pursuant to notice, asked and obtained leave to introduce

"A bill to provide for publishing a new State Map,"

Which was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and

Committed to a committee of the Whole House.

Mr. Smith asked and obtained leave to introduce

"A bill to incorporate the St. Louis Perpetual Insurance Company."

Which was read a first time.

Objections being made thereto,

The question, shall the bill be rejected?

Was determined in the negative.

On motion of Mr. Smith,

The rule which requires bills to be read on three several days, was dispensed with—and

The bill was read a second time, and

Committed to a committee of the Whole House.

On motion of Mr. Goforth,

Mr. Ashby was added to the committee on Claims.

Message from the House of Representatives by Mr. Ralls:

MR. PRESIDENT.—The House of Representatives have adopted a resolution requiring the Attorney General to institute a suit against James Dunica and his securities as commissioner of the Penitentiary, for money in his hands belonging to the state, and have passed bills entitled,

"An act respecting limited partnerships."

"An act to improve the state road across the bottom opposite to St. Charles in St. Louis county."

"An act supplementary to an act to regulate the apportionment of the Road and Canal Fund." Approved January 17, 1837.

"An act to prescribe the manner of recovering fines, forfeitures and penalties."

"An act respecting partition and assignment of dower in slaves."

"An act to incorporate the Carondalet and St. Louis Rail Road."

"An act to incorporate the Osage Mining and Smelting Company."

"An act for surveying and marking a state road from Palmyra in Marion county, to Huntsville, in Randolph county."

"An act to incorporate the Paynesville and Mississippi Rail Road."

"An act to provide for opening roads and highways."

"An act to define the jurisdiction of courts of Chancery in certain cases."

"An act to amend an act entitled an act fixing the salaries of civil officers." And

"An act to amend an act to provide for levying, assessing and collecting the revenue."

All of which are herewith submitted for the action of the Senate.

The House has passed bills from the Senate entitled

"An act to encourage the destruction of Wolves."

"An act to prohibit the publication, circulation, and promulgation of the abolition doctrines."

"An act to define the boundary of Green county,"

With amendments to the two first mentioned bills, in which the concurrence of the Senate is requested.

The bills and amendments are herewith submitted.

The House has rejected bills from the Senate entitled

"An act to incorporate the city of Hannibal," and

"An act concerning grand jurors."

Which are herewith returned to the Senate.

The House has concurred in the amendments made by the Senate to the bill which originated in the House entitled,

"An act to incorporate the St. Louis Gas Light Company."

The Speaker of the House of Representatives has this day signed bills entitled,

"An act to incorporate the St. Louis Insurance Company,"

"An act to incorporate the Farmers and Mechanics Insurance Company of St. Louis."

"An act to incorporate the Cape Girardeau Insurance Company," and

"An act to view and mark out a state road."

All of which are herewith submitted for the signature of the President of the Senate.

The president signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

— Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have this day passed bills entitled,

"An act for surveying and marking out a state road from Clinton in Rives county, to Oseola in St. Clair county, and for other purposes," and

"An act for surveying and marking out a state road from Georgetown in Pettis county to Clinton in Rives county.

Which are herewith submitted for the concurrence of the Senate.

On motion of Mr. Smith,

The further orders of the day were passed over and

The Senate resolved itself into a committee of the Whole House, on a bill from the House of Representatives entitled "An act to charter the Union Bank of the state of Missouri," Mr. Rawlins in the chair, and after some time spent therein, the committee rose, and the chairman reported that the committee had again resumed

and had finished their examination of a bill from the House of Representatives, entitled

"An act to charter the Union Bank of the state of Missouri," and Had instructed him to report it to the Senate with various amendments.

Mr. Goforth moved

That the Senate agree to the whole of the report of the committee of the Whole, except that part which relates to the forty first section of the bill,

Which was adopted.

Mr. Smith moved

To disagree to that part of the report which proposed an amendment to the forty-first section of the bill.

The question, will the Senate disagree to that part of the report aforesaid,

Was determined in the affirmative as follows:

Ayes—Messrs. Asby, Byrd, Deguire Goforth, Gorham, McDaniel, McClelland, Montgomery, Rawlins, Smith, Sterigere, Valle, and Vanarsdall—13.

Nays—Messrs. Campbell, Dawson, Jones of Cooper, Jones of Pike, Lee, Robison, Thompson and Walsh—8.

Mr. Weaver absent sick.

Mr. Williams, absent.

Mr. Campbell proposed

To amend the forty first section of the bill by striking out all from the word "may" to to the word "but" inclusive, in said section,

Which was rejected.

Mr. Goforth moved

To amend the report as follows, to-wit: to come in at the end of the forty-first section of the bill, "and after the expiration of five years, no note shall be issued of a smaller denomination than twenty dollars."

Mr. Sterigere proposed

To amend the amendment by striking out "five" and insert in place thereof *ten*,

Which was rejected.

The question recurred upon the adoption of the amendment offered by Mr. Goforth, and it

Was decided in the negative as follows:

Ayes—Messrs. Byrd, Goforth, McClelland, Montgomery, Rawlins, Smith, Valle and Vanarsdall—8.

Nays—Messrs. Ashby, Campbell, Dawson, Deguire, Jones of Cooper, Jones of Pike, Lee, McDaniel, Robison, Sterigere, Thompson, and Walsh—12.

Absent as above.

The amendments were ordered to be engrossed and together with the bill.

To be read a third time to-day.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
January 30, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed the following acts:

“An act to incorporate the Mine a’Lamotte and Mississippi Rail Road Company,”

“An act to incorporate the Marine Insurance Company.”

“An act to incorporate a Steam Flouring Mill Company, at Herculanum, in the county of Jefferson.

“An act to establish a state road from the city of Griswold to Herculanum.”

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

On motion of Mr. McDaniel

The amendments made by the House of Representatives to a bill from the Senate to prohibit the publication, circulation and promulgation of abolition doctrines.

Were taken up and they were agreed to by the Senate.

On motion of Mr. Jones of Cooper,

The several engrossed joint resolutions from the House of Representatives, which propose to give the printing of the Laws and Joint Resolutions of the present General Assembly to Calvin Gunn, and the printing of the Journals of the two Houses of the present General Assembly to A. B. Chambers and O. Harris,

Were taken up and read a first time, and

On his motion

The rule which requires bills to be read on three several days, was dispensed with, and

The resolutions were read a second time and

Ordered to be read a third time on to-morrow.

On motion of Mr. Robison

“The bill to charter the Heculanum Bridge Company,” was taken up. And

The question recurred, shall the bill pass? And It was determined in the affirmative.

On motion of Mr. McDaniel

“A bill to amend an act respecting school lands,” was taken up, and

The question recurred, shall the bill pass?

Mr. Rawlins proposed to amend by way of ryder,

Which was read a first time.

No objections being made,

The ryder was read a second time and was considered as engrossed, and

Was read a third time, and
The ryder together with the bill passed.

On motion of Mr. Rawlins,
Ordered that the Secretary omit spreading the above ryder on
the Journals.

Ordered that the title be,
"An act" &c. as aforesaid.

An engrossed bill from the House of Representatives entitled
"An act amendatory to an act entitled an act to provide for levy-
ing, assessing and collecting taxes."

Was read a first time, and passed to a second reading.

On motion of Mr. Goforth,
An engrossed bill from the House of Representatives, entitled
"An act to establish a state road from Ste. Genevieve to Courtois
Mines was taken up, and
Read a first time, and

On motion of Mr. Robison,
The rule which requires bills to be read on three several days
was dispensed with, and

The bill was read a second and third time, and passed.

An engrossed bill from the House of Representatives entitled,
"An Act to provide for levying, assessing and collecting the rev-
enue,"

Was read a first time, and

On motion of Mr. Robison
The rule which requires bills to be read on three several days, was
dispensed with, and

The bill was read a second time.

Mr. Goforth proposed
To amend the bill by striking out of the second line of the second
section "two dollars," and insert *one dollar and fifty cents*.

Which was rejected, and

The rule being dispensed with,

The bill was read a third time and it passed.

An engrossed bill from the House of Representatives entitled
"An act to license Grocers."

Was read a first time.

On motion of Mr. Goforth,

The rule which requires bills to be read on three several days,
was dispensed with, and

The bill was read a second time and

Was ordered to a third reading on to-morrow.

An engrossed bill from the House of Representatives, entitled
"An act to amend an act entitled an act to fix the salaries of Civil
Officers,"

Was read a first time.

On motion of Mr. Robison,

The rule was dispensed with, and

The bill was read a second and third time, and it passed.

On motion of Mr. Jones of Cooper,
An engrossed bill from the House of Representatives, entitled,
"An act to incorporate the Osage Mining and Smelting Company."

Was taken up, and

On his motion,

The rule was dispensed, and

The bill was read a first and second and third time, and it passed.

On motion of Mr. Rawlins,
An engrossed bill from the House of Representatives, entitled
"An act for the relief of Moses Burton and Jesse Garner,"

Was taken up, and

The bill was read a first and second time, and

On his motion,

The rule was dispensed with, and

On his motion,

It was referred to the committee on Claims.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day disagreed to the several amendments made by the Senate to the bill which originated in the House, entitled,

"An act to provide for building a capitol and for other purposes."

The bill and amendments are herewith returned."

The House requested a conference with the Senate, on the disagreement of the two Houses, relative to the above bill and amendments, and have appointed Messrs. Edwards, Monroe, Thompson, Bay, Persell and Smith of Washington, a committee to confer with such committee as may be appointed by the Senate.

The House of Representatives have passed bills entitled,

"An act concerning Petit Jurors," and

A bill from the Senate entitled,

"An act to regulate the apportionment of the representation among the several counties, with an amendment to the last.

Both of which are herewith returned for the action of the Senate.

On motion of Mr. Sterigere,

The bill from the House of Representatives entitled,

"An act to provide for building a state capitol," together with the amendments made thereto by the Senate, and the proposition contained in the foregoing message, to raise a joint committee of conference on said amendments,

Were taken up.

Mr. Campbell moved,

That the Senate insist on their amendments to said bill.

Which was adopted.

On motion of Mr. Sterigere,

A committee consisting of Messrs. Sterigere, McDaniel and Rawlins, was appointed on the part of the Senate to confer with the com-

mittee of the House, on the subject of the disagreement between the two Houses, in relation to the amendments of the aforesaid bill.

On motion of Mr. Vanarsdall,

"A bill to divorce Joab Mobly and Sally his wife,"

Was taken up, and

Read a third time.

Mr. Ashby moved,

To amend the bill by way of ryder, by striking out the preamble.

Which was read a first time, and

Objections being made thereto, and

The question—shall the ryder be rejected?

Was decided in the negative as follows:

Ayes—Messrs. Campbell, Deguire, Goforth, Jones of Pike, Valle, Vanarsdall and Williams.—7.

Nays—Messrs. Ashby, Byrd, Gorham, Jones of Cooper, Lee, McClelland, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson and Walsh.—13.

Mr. Weaver absent, sick.

Mr. McDaniel absent.

The ryder was read a second time, and was considered as engrossed and

Was read a third time, and

The bill together with the ryder passed.

Mr. Jones of Cooper from the committee on Engrossed Bills, reported that the committee had examined and found truly engrossed, Amendments made by the Senate to a bill from the House of Representatives, entitled,

"An act to charter the State Bank of Missouri."

On motion of Mr. Smith,

"The bill to charter the State Bank of Missouri,"

Was taken up, and

On motion of Mr. Ashby,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a third time with the engrossed amendments thereto.

Mr. Thompson moved,

To amend the bill by way of ryder, by adding to the thirty-ninth section, "the mother bank at the time of commencing business shall furnish the branch at Fayette five hundred thousand dollars of the capital stock: provided, the whole amount of three millions of dollars be paid in before the mother commences business. But, if the whole amount of three millions shall not be paid in at the time the mother commences business, then it shall be the duty of the President and Directors of the mother bank to furnish the said branch with an amount of the capital paid in, in due proportion, as above provided for. And it shall be the further duty of the mother bank to furnish

the said branch with the whole amount of five hundred thousand dollars, as soon as the whole of three millions shall be paid in."

Which was read a first and second time.

Mr. Smith proposed to amend the ryder as follows, to come in at the end of the thirty-first section of the bill: "And the mother bank shall at the time she commences business as provided in the twentieth section of this act, set apart and furnish to the President and Directors of the branch bank at Fayette, at least one tenth part of all the capital stock paid in, and the like sum shall be furnished to each branch that may hereafter be established, which shall be increased from time to time in the like proportion as the capital stock shall be paid in: provided, that if the money so deposited at any time shall remain idle for the term of sixty days, the mother bank shall have power to remove such surplus fund, to any other branch or to the mother bank, as will best suit the interest of the mother bank."

The question on the adoption of the amendment,

Was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Byrd, Goforth, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Valle, Vanarsdall, Walsh and Williams.—15.

Nays—Messrs. Campbell, Dawson, Deguire, Jones of Pike, Lee and Thompson.—6.

Mr. Weaver absent sick.

Mr. Sterigere absent.

The question, shall the ryder be ordered to a third reading?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Goforth, Gorham, Jones of Cooper, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Thompson, Valle, Walsh and Williams.—16.

Nays—Messrs. Campbell, Dawson, Deguire, Sterigere and Vanarsdall—6.

Sick as above.

Mr. Smith proposed to amend the bill, by way of ryder, by adding to the thirty second section, "and the said bank shall not employ at any time, more than one half of the capitol stock, in dealing in bills of exchange."

Which was read a first, second and third time.

Mr. Vanarsdall proposed to amend the bill, by way of ryder, by striking out all of the thirty sixth section to the word "all," in the fifth line thereof, and the remainder of the section, after the word "section" in the seventh line thereof—strike out agencies, wherever it occurs, and all that appertains to agencies in the charter.

Which was read a first time.

Objections being made thereto.

The question shall the rider be rejected?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Gorham, Jones

of Pike, Lee, McClelland, McDaniel, Montgomery, Robison Smith, Sterigere, Thompson, Valle, Walsh and Williams—17

Nays—Messrs. Byrd, Goforth, Jones of Cooper, Rawlins and Vanarsdall—5

Sick as above.

Mr. Smith proposed to amend the bill, by way of ryder, by adding in the second line of the nineteenth section, after the word "bank" "provided that said section shall not be so construed, as to prohibit any militia officer, or any officer of a corporation, from being a director of said bank,"

Which was read a first and a second time.

Mr. Thompson moved

To amend the ryder by inserting at the end of it, "clerks of courts, militia officers and officers of incorporated towns,"

Which was rejected.

The question recurred, shall the ryder be engrossed and ordered to a third reading? And

It was determined in the negative.

Mr. Dawson offered to amend by way of ryder, by striking out the seventh section, and insert, "said bank shall be managed by a President and thirteen directors—seven directors shall be elected on the part of the State, by joint vote of the two Houses of the General Assembly, and seven by the private stockholders, who shall at the first meeting of the board, after their election, elect a president out of their body."

Objections were made thereto, and

The question, shall the ryder be rejected?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall and Williams.—17

Nays—Messrs. Campbell, Dawson, Jones of Pike, Lee and Walsh—5. Sick as above.

The question recurred, shall the bill and engrossed amendments, together with the several ryders pass? And

It was determined in the affirmative as follows:

Ayes—Messrs. Campbell, Deguire, Goforth, Gorham, Jones of Cooper, Lee, McClelland, McDaniel, Rawlins, Robison, Smith, Sterigere, Valle, Vanarsdall and Walsh.—15.

Nays—Messrs. Ashby, Byrd, Dawson, Jones of Pike, Montgomery, Thompson and Williams.—7.

Message from the House of Representatives, by Mr. Ralls

MR. PRESIDENT—The House of Representatives have this day passed bills entitled

"An act for surveying and marking out a state road, from Clinton, in Rives county to Oseola, in St. Clair county, and for other purposes," and

"An act for surveying and marking out a state road from Georgetown in Pettis county to Clinton, in Rives county,"

Which are herewith submitted for the concurrence of the Senate.

On motion,
The Senate adjourned,

TUESDAY, JANUARY 31, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives, has this day passed bills entitled

"An act to amend an act to provide for levying, assessing and collecting the revenue."

"An act to incorporate the citizens Insurance Company of St. Louis."

"A resolution for the appointment of Circuit Attornies."

"An act to license Foreign Insurance Companies."

"An act amendatory to an act concerning crimes and their punishments."

"An act to pay grand jurors in Howard and Gasconade counties."

"An act to organize the county of Miller and to define the southern boundary of Cole," and

"An act providing for a call of a convention."

There have been introduced into the House bills entitled

"A bill to license Brokers."

"A bill to incorporate the Livingston and Jefferson city Rail Road Company."

"A bill concerning the commons of St. Ferdinand."

"A bill to provide for the deposite of the surplus revenue accruing to this state, from the United States," and

"A bill to incorporate the Hannibal and Palmyra Turnpike company."

The House have rejected, bills entitled,

"A bill to survey and mark out a State road from Shelbyville, in the county of Shelby, to Plattsburg, in Clinton county."

"A bill to define the boundaries of Sumpter, Osage and Cole."

"A bill giving county courts authority to grant charters, to companies and individuals, for the purpose of building bridges across streams, and to encourage the improvement of roads,"

"A bill respecting the practice of medicine." And

"A bill to incorporate the St. Louis Trust and Loan Company."

The Speaker of the House has this day signed bills entitled

"An act to incorporate the Florida and Paris Rail Road Company."

"An act to establish the Pike Academy."

"An act to dissolve the bonds of matrimony, existing between Joseph Hamilton and Rebecca Hamilton, his wife."

"An act to incorporate the Liberty Rail Road Company."

"An act to incorporate the Hannibal, Paris and Grand river Rail Road Company."

"An act to incorporate the Boonslick, Marine and Fire Insurance Company."

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

Mr. Ashby from the committee on Claims, reported that the committee had taken into consideration an engrossed bill from the House of Representatives, which had been referred to them by the Senate, for the relief of Moses Burton and Jesse W. Garner, and had instructed him to recommend to the Senate the passage of the bill.

The bill was read a second time and

It passed to a third reading.

Mr. Montgomery from the joint committee on Enrolled bills, reported, that the committee had examined and found truly enrolled, bills entitled,

"An act to incorporate the Paris and Florida Rail Road Company"

"An act to incorporate the Liberty Rail Road Company."

"An act to establish the Pike Academy."

"An act to dissolve the bonds of matrimony existing between Joseph Hamilton and Rebecca Hamilton his wife." and

"An act to incorporate the Boonslick Marine and Fire Insurance Company."

Mr. Montgomery from the same committee, reported that the committee had presented to the Governor for his approval, enrolled bills, entitled,

"An act entitled an act to incorporate the Cape Girardeau Insurance Company."

"An act to incorporate the Farmers and Mechanics Insurance Company of St. Louis."

"An act to incorporate the St. Louis Insurance Company," and

"An act to view and mark out a state road."

Mr. Dawson submitted the following joint resolution:

Resolved, That so much of the eighth article of the constitution of this state as provides that the General Assembly shall not incorporate more than one Banking Company, to be in operation at the same time, be and the same is hereby repealed.

Which was read a first time, and

It was ordered to a second reading.

Mr. Robison asked and obtained leave to introduce

"A bill to incorporate the Union Fire Company of St. Louis."

Which was read a first time, and

It passed to a second reading.

On motion of Mr. Campbell,

The committee of the Whole House was discharged from the further consideration of

"A bill to incorporate the St. Charles Rail Road," and

It was read a second time, and

Ordered to a third reading.

An engrossed bill from the House of Representatives entitled

"An act amendatory to an act entitled, an act to provide for levying assessing and collecting the revenue,"

Was read a second time, and

Committed to a committee of the Whole House.

An engrossed bill from the House of Representatives, entitled,

"An act to license Grocers," approved March 18th, 1835,"

Was read a third time, and

On motion of Mr. Smith,

It was referred to a select committee.

Messrs. Smith, Robison and Ashby, were appointed that committee.

An engrossed resolution from the House of Representatives, to refund money to Lewis Bolton,

Was read a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, Gorham, Jones of Cooper, Montgomery, Rawlins, Smith, Sterigere, Thompson, Valle, Walsh, Weaver and Williams.—15.

Nays—Messrs. Campbell, Dawson, McDaniel and Robison.—4.

Mr. Jones of Pike excused.

Messrs. Lee and Vanarsdall absent.

An engrossed bill from the House of Representatives entitled

"An act to establish a state road."

Was read a third time, and it passed.

An engrossed bill from the House of Representatives, entitled,

"An act for the sale of the Franklin academy,"

Was read a third time, and it passed.

An engrossed bill from the House of Representatives entitled,

"An act to locate the county seat of Macon county,"

Was read a third time.

Mr. McDaniel moved,

To postpone the bill indefinitely,

Which motion was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Jones of Cooper, McClelland, McDaniel, Montgomery, Sterigere, Weaver and Williams.—12.

Nays—Messrs. Goforth, Gorham, Jones of Pike, Rawlins, Robison and Walsh.—6.

Mr. Thompson excused.

Messrs. Lee and Vanarsdall absent.

An engrossed bill from the House of Representatives entitled
 "An act to incorporate the Curators of the St. Charles College,"

Was read a third time and it passed.

The several engrossed joint resolutions from the House of Representatives, which proposed to give the printing of the Laws and Joint Resolutions to Calvin Gunn, and the Journals of the said two Houses to A. B. Chambers and O. Harris,

Were read a third time and they passed.

On motion of Mr. Vanarsdall,

He was excused from serving longer as a member of the committee on printing.

An engrossed bill from the House of Representatives, entitled
 "An act for the relief of Daniel B. Holdman,"

Was read a third time, and it passed.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives, have considered and concurred in the amendments made by the Senate to the bill which originated in the House, entitled,

"An act to charter the Union Bank of Missouri,"

Except the amendment which proposes to strike out "K. M'Gunnegle" and insert *Collier*—with an amendment to the second additional section and third line, by striking out the words "to endeavor,"

In which the concurrence of the Senate is requested.

The House of Representatives claim the privilege of arranging the numbers of the sections of the bill, so as to correspond with the amendments made by the Senate and concurred in by the House.

On motion of Mr. Smith,

The Senate reconsidered and receded from their amendments to the bill from the House of Representatives, entitled,

"An act to charter the Union Bank of Missouri,"

And granted leave to the House of Representatives to arrange the numbers of the sections of said bill, as the House claimed the privilege of doing.

On motion of Mr. Weaver,

"A bill to divorce Wade Liscombe and Elizabeth Permelia, his wife,"

Was taken up.

The question, shall the bill pass?

Was determined in the negative, by the casting vote of the President, ten Senators having voted for and ten against the passage thereof.

On motion of Mr. Goforth,

"A bill to regulate the apportionment of representation among the several counties of this state,"

Was taken up, and

On motion of Mr. Thompson,

The amendments made thereto by the House of Representatives were concurred in by the Senate.

Mr. Sterigere from the joint Select committee of conference, on the subject of the disagreement between the two Houses, in relation to the amendments made by the Senate to the bill from the House to provide for the building of a state capitol submitted the following report.

The committee of conference, to whom was referred the disagreement of the House of Representatives to the amendments made by the Senate to a bill from the House entitled,

"An act to build a state capitol and for other purposes,"

Beg leave to recommend to the two Houses the following amendments, to-wit:

FIRST—In section eighth, line the sixth, strike out "one hundred" and insert in lieu thereof *seventy-five*.

SECOND—In line fourth of said section, after the word "of" insert the word *all*, and after the word "sold" insert the words *in the City of Jefferson*: and at the end of the eighth section, the committee recommend the following proviso, to-wit:

Provided, said State House and the lots appertaining thereto, shall not be sold for a less sum than fifteen thousand dollars. And, that said State House, &c. shall be offered at public sale by said commissioners within the next two years—six weeks previous notice to be given in at least three public newspapers, of general circulation.

Mr. McDaniel moved

To lay the report on the table,

Which was determined in the negative as follows:

Ayes—Messrs. Ashby, Byrd, Gorham, McDaniel, Montgomery, Valle and Weaver.—7.

Nays—Messrs. Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Jones of Pike, Lee, McClelland, Rawlins, Smith, Sterigere, Thompson, Vanarsdall, Walsh and Williams.—16.

The question recurred on agreeing to the report, and

It was determined in the affirmative.

Mr. Robison from the Select committee to which was referred a bill from the House of Representatives to license Grocers, reported said bill back to the Senate, with amendments, which were read and adopted, and

They were ordered to be engrossed and with the bill to be read a third time on to-morrow.

On motion of Mr. Goforth,

An engrossed bill from the House of Representatives entitled

"An act to provide for the call of a Convention,"

Was taken up.

On motion of Mr. Smith,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a first and second time, and
Committed to a committee of the Whole House.

On motion of Mr. Sterigere,

Mr. Ralls, the Assistant Clerk of the House of Representatives, was authorized to correct a clerical error in his report to the Senate which accompanied a bill to regulate the apportionment of representation among the several counties of this state.

On motion of Mr. Campbell,

An engrossed bill from the House of Representatives, entitled
"An act to incorporate the St. Louis and Fayette Rail Road Company,"

Was taken up, and

The amendments made thereto by the Senate, to which the House of Representatives had disagreed, were adhered to by the Senate.

On motion of Mr. Valle,

The committee of the Whole House was discharged from the further consideration of an engrossed bill from the House of Representatives, entitled,

"An act to incorporate the Ste. Genevieve Insurance Company,"
and

It was ordered to a third reading on to-morrow.

On motion of Mr. Jones of Cooper,

An engrossed bill from the House of Representatives entitled
"An act to provide for opening Roads and Highways,"

Was taken up, and

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a first and second time, and

Committed to a committee of the Whole House.

On motion of Mr. McDaniel,

An engrossed bill from the House of Representatives entitled
"An act to incorporate the Palmyra and Marion City Turnpike Company."

Was taken up and it was read a first time, and

On his motion

The rule requiring bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time and it passed

On motion of Mr. Smith,

An engrossed bill from the House of Representatives entitled

"An act to incorporate the Bailey's landing Rail Road Company,"

Was taken up and it was read a first time, and

On his motion

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and it passed

Mr. Gorham from the joint committee on Enrolled Bills, re-

*K

ported that the committee had examined and found truly enrolled, a bill entitled

"An act to incorporate the Hannibal, Paris, and Grand river Rail Road Company.

Mr. Montgomery from the same committee reported that the committee had presented to the governor for his approval, enrolled bills entitled,

"An act to incorporate the Florida and Paris Rail Road Company."

"An act to establish the Pike Academy."

"An act to dissolve the bonds of Matrimony existing between Joseph Hamilton and Rebecca Hamilton his wife."

"An act to incorporate the Liberty Rail Road Company."

"An act to incorporate the Hannibal, Paris and Grand river Rail Road Company." And

"An act to incorporate the Boonslick Marine Fire Insurance Company."

On motion of Mr. Jones of Cooper,

The Senate passed over the further orders of business and resolved itself into a committee of the Whole House, on the orders of the day, Mr. Sterigere in the chair and after some time spent therein the committee rose and the chairman reported, that the committee had considered bills from the House of Representatives entitled,

1st. "An act to provide for opening roads and high-ways."

2d. "An act to provide for a call of a Convention."

3d. "An act to amend an act entitled, an act to establish a state Penitentiary, and to regulate the same."

4th. "A bill to establish a perpetual Insurance Company in Saint Louis." And

Had instructed him to report those mentioned first and fourth in the report to the Senate with amendments to each.

The one mentioned third in the report, the committee had instructed him to report to the Senate without amendment. And

Had instructed him to recommend to the Senate, to strike out of the bill mentioned second in the report, the first section together with the enacting clause thereof.

On motion of Mr. Robison,

That part of the report which proposes to strike out of the bill mentioned second therein, the first section together with the enacting clause, was taken up, and

The question, will the senate agree to that part of the report aforesaid,

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Dawson, Deguire, Gorham, Jones of Cooper, McClelland, McDaniell, Montgomery, Smith, Valle, Vanarsdall, Weaver and Williams—13.

Nays—Messrs. Byrd, Campbell, Goforth, Jones of Pike, Lee, Rawlins, Robison, Sterigere, Thompson and Walsh—10.

Mr. Thompson moved

A call of the House, which was ordered, and

Messrs. Ashby, Byrd, Campbell, Dawson, Gorforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Sterigere, Thompson, Vanarsdall, Walsh, Weaver and Williams, answered to their names.

Messrs. Deguire, Smith and Valle absent.

The President directed the doorkeeper to request the attendance of the absent members.

Messrs. Deguire and Valle appeared and took their seats.

The report in relation to each of the other bills mentioned therein was agreed to, and the amendments to the one mentioned first

Were ordered to be engrossed and together with the bill to be

Read a third time on to-morrow.

The bill mentioned third in the report

Was ordered to a third reading on to-morrow, and

The one mentioned fourth therein,

Was ordered to be engrossed with its amendments and

Read a third time on to-morrow.

Mr. Dawson asked and obtained leave to introduce the following joint resolution:

Resolved, That so much of the second section of the third article of the constitution of the state as provides, that the whole number of representatives shall never exceed one hundred, be, and the same is hereby abolished.

Which was read a first time, and it passed to a second reading.

Mr. Weaver asked and obtained leave of absence.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT,
City of Jefferson, January 31, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed

“An act to incorporate the Hannibal, Paris and Grand River Rail Road.”

Most respectfully

Your obedient servant,

LILBURN W. BOGGS.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 1, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have concurred

in the report of the committee of conference, relative to the disagreement of the two Houses, on the amendments made by the Senate, to a bill from the House entitled,

"An act providing for the building of a Capitol and for other purposes."

The House has disagreed to the amendment made by the Senate to a bill entitled,

"An act to establish a state road from Ste. Genevieve to Caledonia, and from thence to Courtois Mines."

The bill and amendments are herewith returned for the reconsideration of the Senate. And

Have concurred in the amendment to the bill from the House entitled,

"An act to charter the Hannibal and New London Turnpike Company."

The House has indeffinitely postponed a bill from the Senate entitled,

"An act to organize Miller county."

The House has passed a bill from the Senate entitled,

"An act supplementary to an act entitled an act to license Auctioneers, and impose a tax on licenses and sales." Approved February 26, 1835.

Which is herewith returned.

The House has passed bills entitled,

"An act supplementary and amendatory to an act to provide for the recovery of debts by attachment."

"An act to provide for enclosing and erecting tombs over the graves of G. O'Bannon and H. Allard."

"An act to defray the funeral expenses of members of the General Assembly."

"An act for establishing and keeping in repair the roads in the county of Pike."

"An act to license Brokers."

"A memorial to Congress respecting Lead Mines."

"An act making additional allowance for transporting convicts to the Penitentiary."

"An act supplementary to an act entitled an act to provide for levying, assessing and collecting the revenue." And

"An act appropriating money to pay George C. Dale for services rendered as Librarian,"

All of which are herewith submitted for the action of the Senate.

The Speaker of the House of Representatives has this day signed enrolled bills of the following titles:

"An act to define the boundary of Green county."

"An act to regulate the apportionment of representation among the several counties of this state "

"An act to prohibit the publication, circulation and promulgation of abolition doctrines." And

"An act to establish the Holstein Female Academy of Kennonsville."

Which are herewith submitted for your signature.

The President signed said bills and they were delivered to the committee on Enrolled bills to be presented to the Governor for his approval and signature.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled,

"An act to define the boundary of Green county."

"An act to regulate the apportionment of representation among the several counties of this state."

"An act to prohibit the publication, circulation and promulgation of Abolition doctrines." And

"An act to establish the Holstein Female Seminary at Kennonsville."

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"Amendments made by the Senate, to a bill from the House of Representatives, to provide for opening and repairing public roads and highways." And

"An act to incorporate the St. Louis Marine, Fire and Life Insurance Company." And

Amendments made by the Senate to a bill from the House of Representatives entitled, "an act to license Grocers."

Mr. Goforth from the Committee on Claims submitted the following:

The committee on Claims, to which was referred a bill from the House of Representatives, to allow Henry Lasseter and others compensation for services rendered to the state, have had the same under consideration, and have instructed me to recommend the passage of the bill.

Mr. McDaniel submitted the following resolution:

Resolved, By the Senate, if the House of Representatives concur therein, that there be a joint committee appointed to inquire,

1st. Whether, from any act of the Legislature, the faith of the state is pledged to build the Capitol of this state, on what is commonly called Capitol Square.

2nd. Whether a different location would or would not promote the interest of the state.

3d. Whether there is any impediment in the title of the property of the said Capitol Square, and to inquire whether, under all the circumstances, the said Capitol Square is the most appropriate site for the Capitol of this state, and that they have power to report by bill or otherwise.

Which was rejected.

An engrossed bill from the House of Representatives, entitled

"An act to to incorporate the Union Fire Company of St. Louis."

Was read a second time and it passed to a third reading."

A joint resolution to amend the second section of the third article of the constitution of this state.

Was read a second time and it passed to a third reading.

A joint resolution proposing to repeal that part of the eighth article of the constitution of this state, which relates to the number of banks to be in operation at the same time, in this state,

Was read a second time.

The question, shall the resolution be ordered to be engrossed and read a third time?

Was determined in the negative as follows:

Ayes—Messrs. Campbell, Dawson, Jones of Pike and Walsh—4

Nays—Messrs. Ashby, Byrd, Deguire, Goforth, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Sterigere, Thompson, Valle, Vanarsdall and Williams—15.

Messrs. Lee, Robison, Smith and Weaver absent.

An engrossed bill from the House of Representatives entitled, "An act to provide for opening public roads and highways," was taken up.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The engrossed amendments were read and the bill was read a third time by its title.

Mr. Thompson moved

To amend the bill by way of ryder, by striking out "fifty" and inserting *twenty-five*, in relation to the value of a bridge to be built by the overseer.

Which was read a first time and rejected.

Mr. Vanarsdall moved

To lay the bill on the table,

Which was decided in the negative.

Mr. Campbell moved,

To amend the bill by way of ryder, by inserting after the words "county court" in the first line of the fifteenth section the words *after one months publication given in three public places in the township*.

Which was read a first time and rejected.

The question, shall the bill and amendments pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Smith, Sterigere, Walsh and Williams.—13.

Nays—Messrs. Campbell, Dawson, Goforth, Jones of Pike, Thompson, Valle, Vanarsdall and Weaver.—8.

Messrs. Lee and Rawlins absent.

Mr. Vanarsdall asked and obtained leave of absence for Mr. Lee, for the balance of the session.

An engrossed bill from the House of Representatives, entitled,
 "An act to incorporate the St. Charles Rail Road."

Was read a third time, and it passed.

Mr. Smith from the committee on Ways and Means, submitted the following report:

The committee of Ways and Means, to whom was referred "a bill to reduce the taxes," beg leave to report the same without amendment.

An engrossed bill from the House of Representatives, entitled,
 "An act to establish a State Penitentiary and to regulate the same,"

Was read a third time, and it passed.

An engrossed bill from the House of Representatives entitled,

"An act to license Grocers," approved March 18th, 1835,

Was read a third time,

Mr. Dawson moved,

To amend the bill by way of ryder, by striking out "five" as the minimum amount to be charged for a license, and insert *eight* in place thereof.

Which was read a first time and rejected.

The question recurred, shall the bill pass? and

It was determined in the affirmative.

Engrossed bills from the House of Representatives entitled,

"An act to allow Henry Lasseter and others compensation for services rendered the state," and

"An act for the relief of Moses Burton and Jesse V. Garner,"

Were each read a third time and they severally passed.

"A bill to incorporate the Ste. Genevieve Insurance Company,"

Was read a third time, and it passed.

Ordered that the title be

"An act" &c. as aforesaid.

"A bill to incorporate the St. Louis Marine-Fire and Life Insurance Company,"

Was read a third time, and it passed.

Ordered that the title be

"An act" &c. as aforesaid.

Engrossed joint resolutions from the House of Representatives, entitled "Federal Resolutions,"

Were taken up, and read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The resolutions were read a second and third time.

The question, shall the resolutions pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, Gorham, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams.—19.

Nays—Messrs. Campbell, Dawson and Jones of Pike.—3.

An engrossed bill from the House of Representatives entitled,
“An act to amend an act to regulate the Treasury Department,”

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and third time, and it passed.

An engrossed bill from the House of Representatives, entitled,
“An act to amend an act to provide for levying assessing and collecting the revenue,”

Was read a first time.

Mr. Thompson moved

To lay the bill on the table, till the fourth of July next,
Which was adopted.

On motion of Mr. Smith,

An engrossed bill from the House of Representatives, entitled
“An act to prevent foreign banking companies from setting up agencies or transacting banking business within the limits of this state,”

Was taken up.

Mr. Smith moved

To amend the bill by way of ryder, by striking out the enforcing clause of the amendment made by the Senate, and insert, “This act to take effect and be in force from and after its passage, with regard to all agencies, except the agency of the Commercial bank of Cincinnati: and shall take effect on that agency from and after the first day of June next.”

Which was read a first, second and third time.

Mr. Campbell proposed to amend the bill by way of ryder, by adding the following *proviso* to the second section:

Provided, this act shall not apply to persons dealing on their own responsibility, and who are not connected, in any manner, with any foreign bank or banking company.”

Which was read a first second and third time, and

The bill together with the several ryders passed.

An engrossed bill from the House of Representatives entitled
“An act to prescribe the mode by which fines, forfeitures and penalties may be recovered,”

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and third time, and it passed.

An engrossed bill from the House of Representatives, entitled,
“An act to license foreign insurance companies,”

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time.

Mr. Smith moved

To amend the bill by striking out "one" and inserting *two*, in the third line of the second section.

Which was adopted, and

Was read a third time, and it passed.

On motion of Mr. McDaniel,

An engrossed bill from the House of Representatives, entitled, "An act to incorporate the Citizens Insurance Company of Saint Louis,"

Was taken up, and

It was read a first time.

On motion of Mr. Smith,

The rule which requires bills to be read on three several days, was dispensed with—and

The bill was read a second and third time, and passed.

A memorial to Congress on the subject of the Santa Fee trade, and the amendments made thereto by the House of Representatives,

Was agreed to by the Senate.

"A bill to encourage the destruction of Wolves,"

Was taken up, and

The amendments made thereto by the House of Representatives, Were concurred in by the Senate.

An engrossed bill from the House of Representatives entitled, "An act to pay George C. Dale for services rendered the State," Was read a first time,

On motion of Mr. Weaver,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and

On his motion,

It was referred to the committee on Claims.

On motion of Mr. Jones of Cooper,

An engrossed bill from the House of Representatives, entitled

"An act to incorporate the Missouri Life Insurance and Trust Company,

Was taken up, and

It was read a first time.

Mr. Vanarsdall moved

To refer the consideration of the bill to the next General Assembly.

The question, on his motion,

Was determined in the negative as follows:

Ayes—Messrs. Byrd, Goforth, McClelland, Montgomery, Smith, Sterigere, Vanarsdall and Weaver—8.

Nays—Messrs. Ashby, Campbell, Dawson, Deguire, Jones of Coop-

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er, Jones of Pike, McDaniel, Rawlins, Thompson, Valle, Walsh and Williams—12. Mr. Rolison absent.

On motion of Mr. Jones of Cooper,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time and

On his motion

It was referred to a select committee.

Messrs. Jones of Cooper, Ashby, McDaniel and Campbell, were appointed that committee.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The Speaker of the House of Representatives has this day signed enrolled bills entitled,

“An act to incorporate the southeastern Rail Road Company.”

“An act to amend an act entitled ‘an act to provide for levying, assessing and collecting the revenue.’”

“An act to incorporate the Bailey’s Landing Rail Road company,” and,

“An act supplementary to an act to license Auctioneers and impose a tax on licenses and sales,” approved February 26th, 1835.

Each of which are herewith submitted for the signature of the President of the Senate.

The president signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

On motion of Mr. Sterigere

The Senate resolved itself into a committee of the Whole House, on the orders of the day, Mr. Rawlins in the chair, and after some time spent therein, the committee rose and the chairman reported, that the committee had considered bills entitled,

1st. “A bill to amend an act entitled an act to provide for levying, assessing and collecting the revenue.”

2nd. “A bill to incorporate the Jefferson City Wharf company,” and

Engrossed bills from the House of Representatives, entitled,

3rd. “An act to amend an act entitled an act to establish a state road from the City of St. Louis to the City of Jefferson, by way of Manchester and Union.”

4th. “An act amendatory to an act entitled an act to provide for levying assessing and collecting the revenue.”

5th. “An act supplementary to an act entitled an act to establish judicial districts and circuits, and to prescribe the times and places of holding courts.”

6th. “An act to incorporate the stockholders of the St. Louis Theatre.”

7th. “An act to regulate the collection of costs in criminal cases.”

8th. “A bill to legalize the sales of certain Saline lands, sold to

Samuel Stephenson, and for other purposes," and

9th. "A bill for publishing a new State map." And,

Had instructed him to report the bills mentioned first, second, third and fourth, in the report to the Senate, without amendment, and those mentioned fifth, sixth, seventh and eighth therein, with amendments to each, and to recommend to the Senate, to refer the consideration of the bill mentioned ninth in the report, to the next General Assembly.

The Senate agreed to the report of committee of the Whole, and the bills mentioned first, second and eighth in the report, were ordered to be engrossed, the eighth with its amendments, and

They were severally ordered to a third reading on to-morrow.

Those mentioned third and fourth in the report,

Were severally ordered to a third reading on to-morrow, and

The amendments made in committee to those mentioned fifth, sixth and seventh in the report,

Were ordered to be engrossed, and together with the bills,

To be read a third time on to-morrow.

On motion of Mr. Jones of Pike,

An engrossed bill from the House of Representatives entitled,

"An act to incorporate the Paynesville and Mississippi Rail road,"

Was taken up, and

It was read a first time—and,

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

On motion of Mr. Goforth,

An engrossed bill from the House of Representatives entitled,

"An act to establish a state road from Ste. Genevieve to Caledonia, and from Caledonia to Courtois Mines."

Was taken up—and,

On his motion,

The Senate receded from their amendment to said bill, to which the House of Representatives had disagreed.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled

"An act to incorporate the Southeastern rail road company."

"An act supplemental to an act to license auctioneers, and impose a tax on licenses and sales," approved February 26th, 1835, and

"An act to incorporate the Bailey's landing Rail Road Company."

Mr. Montgomery from the same committee also reported that the committee had presented to the Governor for his approval enrolled bills entitled,

"An act to prohibit the publication, circulation and promulgation of Abolition doctrines,"

"An act to define the boundary of Green county."

"An act to regulate the apportionment of representation among the several counties in this state." And

"An act to establish the Holstein Female Seminary of Kennonsville."

Mr. Gorham from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, a bill entitled,

"An act to amend an act entitled 'an act to provide for levying, assessing and collecting the revenue.'"

Mr. Thompson asked and obtained leave of absence for Mr. Dawson for the ballance of the session, after to-morrow morning.

Mr. Weaver asked and obtained leave and introduced,

"A bill to define the permanent line dividing the counties of Pualaski and Crawford,"

Which was read a first time.

On his motion

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time and it passed.

On motion of Mr. Sterigere,

An engrossed bill from the House of Representatives, entitled,

"An act to incorporate the St. Louis Floating Dock company,"

Was taken up and it was read a first time, and

On his motion

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time.

Mr. Ashby moved

To amend the bill by way of ryder, by striking out all of the fourteenth section, except "This act shall take effect and be in force from and after its passage."

Which was read a first, a second and a third time, and

The bill together with the ryder passed.

An engrossed bill from the House of Representatives entitled

"An act to provide for the appointment of Circuit Attornies."

Was read a first time and rejected.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
February 1, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed the following bills:

"An act to prohibit the publication, circulation and promulgation of abolition doctrines."

"An act to establish the Holstien Female Seminary of Kennonsville."

"An act regulating the apportionment of representation among the several counties of this state," and

"An act to define the boundary of Green county."

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

Mr. Montgomery from the joint committee on Enrolled Bills reported that the committee had examined and found truly enrolled, bills entitled

"An act to encourage the destruction of Wolves." and

"An act to incorporate the citizens Insurance company of St. Louis."

On motion of Mr. Sterigere,

An engrossed bill from the House of Representatives, entitled

"An act concerning petit jurors."

Was taken up, and it was read a first time, and

On his motion,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time,

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Jones of Cooper, Jones of Pike, McClelland, Robison, Sterigere, Valle, Vanarsdall and Walsh—11.

Nays—Messrs. Ashby, Byrd, Goforth, Gorham, McDaniel, Montgomery, Rawlins, Thompson and Williams.—9.

Messrs. Smith, and Weaver absent.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 2, 1837.

THE Senate met pursuant to adjournment.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT—There have been introduced into the House of Representatives

"A bill supplementary to an act to ascertain the northern and southern boundary line of this state," approved December 23, 1834, and for other purposes, and

"Resolutions to amend the constitution of this state."

The House has rejected

"A bill to appropriate a sum of money to improve the navigation of the Gasconade river."

The House has passed bills from the Senate entitled
 "An act for the relief of James S. McCuiston," with an amendment as an additional section.

"An act to incorporate the Ste. Genevieve Insurance Company."

"An act to establish the St. Louis Perpetual Marine and Fire Insurance Company."

"An act to amend an act to regulate fees."

"An act for the relief of the heirs of Finnis W. Shannon, deceased and their guardian."

"An act supplementary to an act entitled an act to enable counties to make contracts, and hold and convey real estate," and

"An act to incorporate the Lagrange and Monticello Rail Road company."

The House has concurred in the amendments made by the Senate to bills which originated in the House entitled,

"An act to provide for opening public roads and highways."

"An act to amend an act entitled an act to license Grocers," approved March 18, 1835.

"An act to prevent Foreign Banking Companies from setting up Agencies or transacting banking business within the limits of this state," and

"An act to license Foreign Insurance Companies."

The House has passed bills entitled

"An act amendatory to an act entitled an act to establish recorders offices."

"Resolutions in relation to the amendment of the constitution of the United States."

"An act allowing additional fees to the clerks of the circuit courts."

"An act amendatory to an act entitled an act to regulate fees."

A resolution requesting the Auditor to procure a description of the confirmed French and Spanish land claims.

"Resolutions relative to the Seminary Lands."

"An act to incorporate the Lexington and Jefferson City Rail Road Company." And

"An act to incorporate the St. Louis German Academy."

"An act to regulate govern and discipline the Militia of the State of Missouri."

All of which are herewith submitted for the action of the Senate.

The committee of the House on Printing, have this day reported that Messrs. Chambers and Harris have executed and delivered them their bond for printing the Journals of both Houses of the present General Assembly, according to the joint resolutions passed by both Houses, together with the bond, which report has been approved of by the House and the bond ordered to be deposited with the Secretary of State.

In all of which the concurrence of the Senate is asked: the bond is herewith presented to the Senate.

The Speaker of the House has signed enrolled bills entitled,

"An act to encourage the destruction of Wolves."

"An act to incorporate the Citizens Insurance Company of Saint Louis."

"An act to charter the bank of the state of Missouri."

"An act to establish a state road." And

"An act to incorporate the Palmyra and Marion City Turnpike Company."

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

The president laid before the Senate, the following communication from the Executive.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON, }
February 2, 1837. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed a bill entitled "An act supplementary to an act entitled, an act to license Auctioneers and impose a tax on licenses and sales," approved February 26th, 1835.

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

Mr. Weaver from the committee on Revisal and Unfinished business, reported that the committee had no further business before them.

On motion of Mr. Thompson,

Resolved, That the chairman of the committee on Enrolled Bills is hereby authorized, should he deem it necessary, to employ one or more additional clerks to facilitate the business of enrolling and engrossing.

Mr. Thompson asked and obtained leave to introduce

"A bill to provide for the temporary appointment of Circuit Attornies,"

Which was read a first time, and

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and

On motion of Sterigere,

It was referred to the committee on Civil Judicature.

An engrossed bill from the House of Representatives entitled

"An act to reduce the taxes,"

Was read a second time.

Mr. Sterigere proposed to amend the bill by striking out the first and second sections thereof.

Which was rejected.

Mr. Dawson moved

To postpone the bill indefinitely,

Which was decided in the negative as follows;

Ayes—Messrs. Byrd, Campbell, Dawson, Jones of Cooper, Jones of Pike, Sterigere, Vanarsdall and Weaver.—8.

Nays—Messrs. Ashby, Deguire, Goforth, McClelland, McDaniel, Rawlins, Robison, Thompson, Walsh and Williams.—10.

Mr. Gorham absent, sick.

Messrs. Montgomery, Smith and Valle absent.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a third time,

Mr. Jones of Cooper moved,

To amend the bill by way of ryder, by striking out "sixteenth" and inserting *tenth*, in place thereof.

Which was read a first time and rejected.

Mr. Dawson moved

To amend the bill by way of ryder, by striking out "sixteenth" and inserting *twelfth*.

Which was read a first time,

Objections being made thereto,

The question, shall the ryder be rejected?

Was determined in the negative as follows:

Ayes—Messrs. Ashby, Deguire, McClelland, McDaniel, Rawlins, Robison, Thompson and Walsh.—8.

Nays—Messrs. Byrd, Campbell, Dawson, Goforth, Jones of Cooper, Jones of Pike, Montgomery, Smith, Sterigere, Vanarsdall and Weaver.—11.

Mr. Gorham absent, sick.

Messrs. Williams and Vanarsdall absent.

The ryder was read a second and third time, and

The question, shall the bill together with the ryder pass? was put.

Mr. Sterigere moved a call of the House, which was ordered.

Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Jones of P. McClelland, McDaniel, Montgomery, Rawlins, Robison, Sterigere, Thompson, Vanarsdall, Walsh, Weaver and Williams answered to their names.

Mr. Gorham absent sick.

Messrs. Smith and Valle absent.

The President directed the Door Keeper to request the attendance of the absent members. They appeared, and

The question on the passage of the bill together with the ryder recurred, and it

Was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Dawson, Goforth, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Vanarsdall, Walsh, Weaver and Williams.—16.

Nays—Messrs. Byrd, Campbell, Deguire, Jones of Cooper and Valle.—5.

Sick as above.

Mr. Montgomery from the joint committee on Enrolled bills, reported, that the committee had examined and found truly enrolled, bills entitled,

“An act to charter the State Bank of Missouri.”

“An act to establish a state road.”

“An act to incorporate the Palmyra and Marion City Turnpike Company.” And

“An act to provide for the erection of a state capitol and for other purposes.”

Mr. Montgomery from the same committee, reported that the committee had presented to the Governor for his approval, enrolled bills, entitled,

“An act supplementary to an act to license Auctioneers and to impose a tax on licenses and sales,” approved February 26th, 1835.

“An act to charter the Southeastern Rail Road Company.”

“An act to incorporate the Bailey’s Landing Rail Road Company.”

And

“An act to amend an act entitled, an act to provide for levying assessing and collecting the revenue.”

Mr. Gorham from the same committee, reported as truly enrolled, bills entitled,

“An act for the relief of Moses Burton and Jesse Garner.” and

“An act to allow Henry Lasseter and others compensation for services rendered the state.”

Message from the House of Representatives by Mr. Ralls:

MR. PRESIDENT.—The Speaker of the House of Representatives has this day signed enrolled bills entitled,

“An act for the relief of Moses Burton and Jesse Garner.”

“An act to compensate Henry Lasseter and others for services rendered the state.”

Each of which are herewith submitted for the signature of the President of the Senate.”

The president signed said bills and they were delivered to the committee on enrolled bills, to be presented to the Governor, for his approval and signature.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had presented to the Governor for his approval, enrolled bills entitled

“An act to charter the State Bank of Missouri.”

“An act to establish a state road.” And

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"An act to incorporate the Palmyra and Marion City Turnpike Company."

Mr. Jones of Cooper, from the committee on Engrossed Bills, reported as truly engrossed,

"A bill to revive and perpetuate the thirty-eighth section of an act to regulate the School Fund."

"A bill to incorporate the Jefferson City Wharf Company."

"A bill to amend an act entitled an act to provide for levying assessing and collecting the revenue." And

Amendments to each of the following bills from the House of Representatives.

"An act to incorporate the Stockholders of the St. Louis Theatre."

"An act supplementary to an act to establish judicial districts and circuits and to prescribe the times and places of holding courts."

"An act to regulate the collection of costs in criminal cases."

"An act to legalize the sale of certain Saline lands sold to Samuel Stephenson and others."

"A joint resolution to abolish a part of the second section of the third article of the constitution of this state,"

Was read a third time, and it passed by the following vote.

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Smith, Sterigere, Valle, Vanarsdall, Walsh, Weaver and Williams.—16.

Nays—Messrs. Goforth, Montgomery, Rawlins, Robison and Thompson.—5.

Sick as above.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have this day adopted the following resolution:

Resolved, If the Senate concur herein, that the two Houses will on this day, at three o'clock P. M. meet in the Hall of the House of Representatives, for the purpose of electing the President and Directors of the Bank of the State of Missouri, and of the Branch thereof on the part of the state,—and also, a commissioner of the permanent seat of government.

Which is herewith submitted for the concurrence of the Senate.

On motion of Mr. Ashby

The further orders of the day were passed over, and the above concurrent resolution, was taken up, and after some conversation about its merits,

On motion of Mr. Ashby,

It was laid on the table.

The message from the House of Representatives which accompanied the bond of Messrs Chambers & Harris, executed for printing of the Journals of the present General Assembly, was taken up, and

On motion of Mr. Steriggre,

The message and all its accompanying documents, were indefinitely postponed.

On motion of Mr. Jones of Pike,

The concurrent resolution on the subject of electing bank officers, was again taken up,

Mr. Ashby moved

To amend the resolution by striking out all that part which relates to the election of a commissioner of the seat of Government,

Which amendment was adopted, and

The resolution as amended was concurred in by the Senate.

Mr. Dawson asked and obtained leave to introduce,

"A resolution to authorize the Auditor of Public Accounts, to correct the returns of the assessor of Cooper county, in relation to the tax on 640 acres of land, assessed in the name of Charles Hagen, 640 in the name of George Ragen,

Which was read a first time, and

On his motion

The rule which requires bills to be read on three several days, was dispensed with, and

The resolution was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives entitled

"An act to incorporate the stockholders of the St. Louis Theatre."

Was read a third time,

The question, shall the bill pass?

Was determined in the affirmative as follows.

Ayes—Messrs. Campbell, Deguire, Gorham, Jones of Cooper, Jones of Pike, McDaniel, Rawlins, Robison, Sterigere, Walsh and Williams—11

Nays—Messrs. Byrd, Goforth and Thompson.—3

Messrs. Ashby, Dawson, McDaniel, Vanarsdal and Weaver absent

An engrossed bill from the House of Representatives entitled

"An act to amend an act entitled an act to establish a state road from St. Louis to the city of Jefferson, by way of Manchester and Union,"

Was read a third time and it passed.

Message from the House of Representatives by Mr. Ralls,

MR. PRESIDENT.—The House of Representatives have this day passed

"A bill for the relief of William Underwood,"

Which is herewith submitted for the concurrence of the Senate.

The House has concurred in the amendments made by the Senate to the resolution from the House of Representatives relating to the election of President and Directors of the Bank of the State of Missouri and the Branch thereof.

An engrossed bill from the House of Representatives, entitled

"An act supplementary to an act to establish judicial districts and circuits and to prescribe the times and places of holding courts."

Was read a third time.

Mr. Rawlins moved

To amend the bill by way of ryder, by adding the following as an additional section to the bill:

"The Supreme Court for the first judicial district shall be held in the town of Fayette, in the county of Howard, on the second Mondays after the fourth Mondays in April and August in each year. And so much of the seventh section of the act entitled an act to establish judicial districts and circuits, and to prescribe the times and places of holding courts, approved January 21, 1837, as requires the Supreme Court for the first judicial district, to be held in the town of Boonville, county of Cooper, is hereby repealed.

Which was read a first time.

Objections were made thereto, and

The question shall the ryder be rejected? was put.

Mr. Rawlins moved

A call of the House, which was ordered.

Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Robison, Sterigere, Thompson, Vanarsdall, Walsh, Weaver and Williams, answered to their names.

Messrs Smith and Valle absent.

The President directed the dookeer to request the attendance of the absent members. They appeared.

The question aforesaid recurred, and it

Was determined in the affirmative as follows:

Ayes—Messrs. Byrd, Deguire, Jones of Cooper, McClelland, McDaniel, Montgomery, Sterigere, Thompson, Vanarsdall and Williams.—11.

Nays—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Pike, Rawlins, Robison, Smith, Valle and Walsh.—11.

There being a tie, the President gave the casting vote in the affirmative.

Mr. Jones of Pike moved

To amend the bill by way of ryder, by adding as an additional section, the following:

The Supreme Court in the second judicial circuit, shall be held in the town of Bowling Green, in the county of Pike, on the fourth Mondays of April and August in each year, any law to the contrary notwithstanding.

Which was read a first and a second time.

The question shall the ryder be engrossed and ordered to a third reading?

Was determined in the negative as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Goforth, Gorham, Jones of Pike, Rawlins, Robison, Smith. Thompson and Walsh—11.

Nays—Messrs. Byrd, Deguire, Jones of Cooper, McClelland, McDaniel, Montgomery, Sterigere, Valle, Vanarsdall and Williams—11
There being a tie, the President gave the casting vote in the negative.

“A bill to incorporate the Union Fire Company of St. Louis.”

Was read a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs Ashby, Campbell, Dawson, Deguire, Gorham, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Walsh and Williams—17.

Nays—Messrs. Byrd, Goforth, Vanarsdall and Weaver—4.

Mr. Valle absent.

Ordered that the title be,

“An act” &c. as aforesaid.

Mr. Montgomery from the joint committee on Enrolled bills, reported that the committee had presented to the Governor for his approval, bills entitled,

“An act to provide for building a Capitol and for other purposes.”

“An act to incorporate the Citizens Insurance Company of St. Louis.”

“An act to encourage the destruction of Wolves.”

“An act for the relief of Moses Burton and Jesse W. Garner” and

“An act to compensate Henry Lasseter for services rendered the state.”

“A bill to incorporate the Jefferson City Wharf Company,”

Was read a third time and it passed.

Ordered that the title be,

“An act” &c. as aforesaid.

“An act entitled an act to regulate the collection of costs in criminal cases,” with the engrossed amendments thereto,

Was read a third time and it passed.

An engrossed bill from the House of Representatives entitled,

“An act to amend an act, entitled an act to provide for levying assessing and collecting the revenue,”

Was read a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Gorham, Jones of Pike, McClelland, Montgomery, Rawlins, Robison, Sterigere, Thompson, Vanarsdall and Walsh—12.

Nays—Messrs. Ashby, Byrd, Deguire, Goforth, Jones of Cooper, McDaniel, Valle, Weaver and Williams—9.

Mr. Smith, absent.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House has adopted the following resolution:

Resolved, That the Senate be informed that the House is now ready to go into the election of President and Directors of the Bank and that the seats on the right of the Speaker's chair are prepared for their reception.

On motion of Mr. Vanarsdall,

The Senate repaired to the Hall of the House of Representatives and the President took the Speaker's chair, and announced the object of the joint meeting.

Messrs. John Smith, Edward Tracy, and Abram J. Williams, were severally nominated for President of the Bank of the State of Missouri.

The vote was taken and there appeared

For Mr. Smith—Eighty-seven votes.

For Mr. Tracy—One vote.

For Mr. Williams—One vote.

Mr. Smith was declared to be duly elected President of the Bank aforesaid.

Messrs. Hugh O'Neal, Samuel S. Rayburn, Edward Tracy and John O'Fallon, were severally nominated for the office of Director of said Bank.

The vote was taken and there appeared

For Mr. O'Neal—Seventy-three votes.

For Mr. Rayburn—Six votes.

For Mr. Tracy—Five votes.

For Mr. O'Fallon—Six votes.

The President declared Mr. O'Neal to be duly elected as one of the Directors of said Bank.

Samuel S. Rayburn and John O'Fallon, were then severally nominated for the office of Director aforesaid.

The vote was taken and there appeared

For Mr. Rayburn—Eighty six votes.

For Mr. O'Fallon—Five votes.

The President declared Mr. Rayburn to be duly elected to the office of Director of said Bank.

Edward Walsh was then put in nomination for the same office.

The vote was taken and there appeared,

For Mr. Walsh—Eighty-five votes.

Scattering, two votes.

The President declared Mr. Walsh to be duly elected to the office of Director of said Bank.

Edward Dobbins, Lewellen Brown and William Sublett, were then nominated to the aforesaid office. The vote was taken and there appeared

For Mr. Dobbins—Sixty-two votes.

For Mr. Brown—Nine votes.

For Mr. Sublett—Three votes.

The President declared Mr. Dobbins to be duly elected to the office aforesaid

William L. Sublett was then nominated to the office aforesaid. The vote was taken and there appeared

For Mr. Sublett—Eighty one votes.

The President declared Mr. Sublett to be duly elected to the said office

Messrs. John O'Fallan and Thomas J. Stuart, were then severally nominated to the office aforesaid. The vote was taken and there appeared,

For Mr. O'Fallon—Fifty-nine votes.

For Mr. Stuart—Nineteen votes.

The President declared Mr. O'Fallon duly elected to the aforesaid office.

The two Houses then proceeded to the election of President and Directors of the Branch of said Bank to be established at Fayette.

John Lowry was nominated to the office of President of said Branch and having received sixty-six votes, was declared to be duly elected to said office.

The vote was then taken for the election of each of the Directors of said branch, and William H. Duncan having received fifty-five votes, John Viley fifty-eight votes, Wade M. Jackson fifty-eight votes, James Earickson sixty votes, they were each declared by the President to be duly elected Directors of the aforesaid Branch of the bank of the State of Missouri.

The Senate returned to its chamber.

On motion

The Senate adjourned.

FRIDAY, FEBRUARY 3, 1837.

The Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled,

“An act to prescribe the manner of recovering fines penalties and forfeitures.”

“An act to amend an act entitled, an act fixing the salary of Civil Officers.”

“An act to charter the Hannibal and New London Turnpike Company.”

“An act amendatory to an act to regulate the Treasury Department.”

“An act concerning school lots in the town of St. Ferdinand.”

“An act to provide for the sale of the Franklin Academy.”

“Joint resolutions on printing, No. 1 2 and 3.” And

“An act to incorporate a board of Curators of St. Charles College.”

Mr. Gorham from the same committee reported as truly enrolled,

"An act to incorporate the Columbia Female Academy."

"An act to incorporate the Paynesville and Mississippi Rail Road."

"An act to establish a state road from Ste. Genevieve to Caledonia and from Caledonia to Courtois Mines."

"An act to incorporate the Osage Mining and Smelting Company."

And

"A preamble and resolution approving the course of President Jackson."

Mr. Goforth from the committee on Claims reported

"A bill appropriating money to George C. Dale," and recommended the passage thereof.

Mr. Campbell from the committee on Civil Judicature reported, that the committee had considered the petition of John W. McGirk, guardian of the heirs of George McGirk, praying for an act to empower him to reconvey to M. P. Leduc, a certain tract of land belonging to said heirs, and the committee are of opinion, that as a general rule, it is bad policy for the General Assembly to pass special acts to interfere with the titles of orphans and minors, in cases where the courts can afford ample remedy. They believe that it is not proper for the Legislature to authorize the lands of minors to be conveyed away on an *ex parte* application of a part of the persons interested therein. They therefore recommend that the petition be rejected.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have concurred in the amendments made by the Senate to the bill which originated in the House entitled,

"An act to incorporate the St. Louis Floating Dock Company."

The House has passed bills entitled,

"An act for the relief of William H. Hopkins."

"An act to provide for the election of a commissioner of the permanent seat of government, and for the sale of lots in the City of Jefferson."

"An act amendatory of an act to regulate the sale of the sixteenth sections and to provide for organizing regulating and perpetuating common schools."

"An act to incorporate the Cooper County Agricultural school."

"An act to incorporate the Trustees of the Hannibal Academy."

"An act to pay Shedrick Perry for property lost in the service of the state."

"An act concerning the commons of St. Ferdinand."

"An act to incorporate a Turnpike Company from Hannibal in Marion county, to Palmyra."

"An act to incorporate the Western academy of Natural science."

"An act to attach territory to Clark county."

"A resolution relative to the introduction of new business."

"A resolution requiring the Governor to return the strength of the Militia to the Secretary of War."

"A resolution relative to the printing and distribution of the laws."

And

"A resolution relative to memorials to Congress and to the bank Charter."

All of which are herewith submitted for the concurrence of the Senate.

On motion of Mr. Rawlins,

He was permitted to withdraw the petition and other papers of John W. McGirk, guardian of the heirs of George McGirk.

On motion of Mr. Vanarsdall,

He was permitted to withdraw the bill and other papers which he introduced into the Senate on the subject of making a new State Map, and also the petition of Van Doren, Pease and Company, and the bill to incorporate the Mississippi and Iron Mountain Rail Road, and the other papers which accompanied said petition and bill.

An engrossed bill from the House of Representatives entitled,

"An act appropriating money to George C. Dale for services rendered as Librarian,"

Was read a second time and it passed to a third reading.

An engrossed bill from the House of Representatives, entitled

"An act to amend an act entitled, an act to provide for levying assessing and collecting the revenue,"

Was read a third time.

The question, shall the bill pass?

Was determined in the negative as follows:

Aye—Mr. Sterigere.—1.

Nays—Messrs. Byrd, Campbell, Dawson, Deguire, Gorham, Jones of Cooper, Jones of Pike, McClelland, Montgomery, Rawlins, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams.—16.

Messrs. Ashby, Goforth, McDaniel, Robison and Smith absent.

"A bill to revive and perpetuate the thirty-eighth section of an act to regulate the school fund,"

Was read a third time and it passed.

Ordered that the title be

"An act" &c. as aforesaid.

"A bill to legalize the sales of certain Saline lands, sold to Samuel Stephenson, and for other purposes,"

Was read a third time and it passed.

Ordered that the title be

"An act" &c. as aforesaid.

An engrossed bill from the House of Representatives, entitled,

"An act to provide for enclosing and erecting tombs over the graves of Yelverton O'Bannon and Hardy Allard,"

Was read a first time.

On motion of Mr. Vanarsdall,

*N

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and third time, and it passed.

An engrossed bill from the House of Representatives entitled
"An act to defray the funeral expenses of members of the General Assembly,"

Was read a first time.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives entitled

"An act amendatory to an act entitled an act to establish Records offices,"

Was read a first time.

On motion of Mr. Vanarsdall,

The rule requiring bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives, entitled,

"An act to provide for establishing and keeping in repair the roads in the county of Pike,"

Was read a first time.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and

The question, shall the bill pass?

Was determined in the negative as follows:

Ayes—Messrs. Campbell, Goforth, Jones of Pike, Sterigere, Thompson, Vanarsdall and Walsh.—7.

Nays—Messrs. Byrd, Deguire, Jones of Cooper, McClelland, Montgomery, Rawlins, Weaver and Williams.—8.

Mr. Vanarsdall excused.

Messrs. Ashby, Dawson, Gorham, McDaniel, Robison and Smith absent.

An engrossed joint resolution from the House of Representatives to authorize the Attorney General to sue James Dunica,

Was read a first time.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days was dispensed with, and

The resolution was read a second and a third time, and

On motion of Mr. Jones of Cooper,

It was laid on the table.

An engrossed bill from the House of Representatives, entitled

"An act amendatory to an act to regulate the sales of the six-

teenth sections and to provide for organizing regulating and perpetuating common schools,"

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time.

Mr. Sterigere moved,

To amend the bill by striking out the first section thereof.

Which was adopted, and

On motion of Mr. Dawson,

The bill and amendments were indefinitely postponed.

An engrossed bill from the House of Representatives entitled

"An act supplementary and amendatory to an act to provide for the recovery of debts by attachment,"

Was read a first time.

On motion of Mr. Sterigere

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and

On his motion,

It was referred to the committee on Civil Judicature.

An engrossed bill from the House of Representatives, entitled

"An act to reserve from sale lot No. 588,"

Was read a first time.

On motion of Mr. Rawlins,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives entitled,

"An act respecting partition and assignment of dower,"

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives entitled

"An act to establish an academy in the town of Florida, in Monroe county,"

Was read a first time.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives entitled,

"An act to provide for the election of commissioner of the permanent seat of government and for the sale of lots in the City of Jefferson,"

Was read a first time.

On motion of Mr. Vanarsdall,

The rule which requires bill to be read on three several days was dispensed with, and

The bill was read a second time.

Mr. Rawlins moved

To amend the bill by striking out the word "any" where it occurs in the third and seventh lines of the second section, and insert in lieu *more than one or two* in each place.

Which was adopted.

On motion of Mr. Sterigere,

The same rule was again dispensed with and

The bill was read a third time, and

The bill and amendment passed.

An engrossed bill from the House of Representatives, entitled, "An act to incorporate the Hannibal and Palmyra Turnpike Company."

Was read a first time.

On motion of Mr. McDaniel

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed bill from the House of Representatives, entitled "An act for the relief of William H. Hopkins,"

Was read a first time.

On motion of Mr. Goforth,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Deguire, Goforth, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Montgomery, Sterigere, Thompson, Walsh, Weaver and Williams.—13.

Nays—Messrs. Byrd, Campbell and Vanarsdall—3.

Messrs. Rawlins, Robison, Smith, and Valle, absent.

Mr. Dawson, absent with leave.

An engrossed joint resolution from the House of Representatives to confirm the French and Spanish land claims,

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The resolution was read a second and a third time and it passed.

An engrossed joint resolution from the House of Representatives relating to Seminary Lands,

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The resolution was read a second and a third time, and it passed.

An engrossed joint resolution from the House of Representatives concerning memorials to Congress,

Was read a first time.

On motion of Mr. Vanarsdall,

It was indefinitely postponed by the following vote on the question, shall the memorial be postponed indefinitely? to-wit:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Jones of Cooper, Jones of Pike, Montgomery, Robison, Sterigere, Vanarsdall, Walsh and William.—14.

Nays—Messrs. McClelland, McDaniel, Thompson and Williams—4

Messrs. Gorham, Rawlins, Smith and Valle absent.

An engrossed bill from the House of Representatives entitled

“An act to regulate fees.”

Was read a first time.

On motion of Mr. Sterigere,

It was postponed indefinitely.

An engrossed bill from the House of Representatives entitled

“An act to attach Territory to Clark county.”

Was read a first time.

On motion of Mr. McDaniel,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed joint resolution from the House of Representatives to authorize Calvin Gunn to print three thousand copies of the road law,

Was read a first time, and

On motion of Mr. Ashby,

It was rejected.

An engrossed joint resolution from the House of Representatives requiring the Governor to report the strength of the militia of this state to the Secretary of War,

Was read a first time, and

On motion of Mr. Vanarsdall,

It was rejected.

An engrossed bill from the House of Representatives entitled, “An act to survey and mark out a state road from Palmyra in Marion county, to the town of Centreville in Marion county.”

Was read a first time.

On motion of Mr. Vanarsdall

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed memorial from the House of Representatives, on the subject of Lead Mines.

Was read a first time.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days, was dispensed with—and

The memorial was read a second and third time, and passed.

An engrossed bill from the House of Representatives, entitled,

“An act to define the jurisdiction of Courts of Chancery in certain cases.”

It was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second time, and

On his motion,

It was referred to the committee on Civil Judicature.

An engrossed bill from the House of Representatives, entitled,

“An act to regulate, govern and discipline the militia of the state of Missouri,” was taken up.

Mr. Campbell moved

To dispense with the rule which requires bills to be read on three several days, and that the bill be read a first and a second time by its title now.

Mr. Vanarsdall moved to amend the motion, by referring the consideration of the bill to the next General Assembly.

The question will the Senate refer the bill as aforesaid?

Was determined in the negative as follows:

Ayes—Messrs. Byrd, Campbell, Robison, Valle, Vanarsdall and Weaver—6.

Nays—Messrs. Ashby, Goforth, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Sterigere, Thompson, Walsh and Williams—12

Messrs. Dawson and Lee absent with leave.

Messrs. Deguire and Smith absent.

The question recurred on Mr. Campbell's motion, and

It was decided in the affirmative, and

The bill was read a first and a second time by its title.

On motion of Mr. Sterigere,

The same rule was again dispensed with and

The bill was read a third time by its title, and

On motion of Mr. Jones of Cooper,

It was laid on the table.

On motion of Mr. Jones of Cooper,

A resolution from the House of Representatives, to authorize the attorney General to sue James Dunica, was taken up, and he offered an amendment, as a substitute for the resolution.

Which was adopted.

On motion of Mr. Ashby,

The rule which requires bills to be read on three several days, was dispensed with, and

The resolution was read a third time and with the amendment, it passed.

On motion of Mr. Jones of Cooper,

Ordered that the Secretary omit spreading the amendment above referred to on the journals.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The Speaker of the House has this day signed enrolled bills, entitled

“A preamble and resolutions approving the administration of President Jackson.”

“An act to incorporate a board of Curators of the St. Charles College.”

“An act to establish a state road from Ste. Genevieve to Caledonia, and from Caledonia to Courtois Mines.”

“An act to incorporate the Paynesville and Mississippi Rail Road Company.”

“An act amendatory to an act entitled an act to regulate the Treasury Department.”

“A resolution requiring the persons who undertake the Printing to give bond and security,

“An act prescribing the mode by which fines and forfeitures may be recovered.”

“A resolution accepting the proposals of Calvin Gunn for the printing of the Laws &c.

“An act to provide for the sale of the Franklin Academy.”

“A resolution accepting the proposals of Messrs. Chambers & Harris, for printing the journals of both Houses of the present General Assembly.”

“An act to amend an act, fixing the salaries of civil officers.”

“An act to incorporate the Columbia Female Academy.”

“An act to incorporate a Turnpike Road Company from Hannibal in Marion county, to New London in Ralls county.”

“An act concerning school lots in the town of St. Ferdinand, commonly called Florisant.

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

Message from the House of Representatives by Mr. Barnes, a member.

MR. PRÉSIDENT.—The House of Representatives have passed a preamble and resolutions relating to the expunging from the journals

of the Senate of the United States, the resolution condemning the conduct of President Jackson, in relation to the removal of the public deposits.

The House has appointed Messrs. Gordon, Simmons, Wilkerson, Edwards, Groom and Munroe, a committee of conference, to join such committee as may be appointed on the part of the Senate to act on the disagreement between the two Houses, on the subject of the amendments made by the Senate to

"A bill to charter the St. Louis and Fayette Rail road Company."

On motion of Mr. Rawlins,

The Senate recurred to the order of propositions and motions, and he moved a reconsideration of the vote by which the bill from the House of Representatives, entitled, "an act to establish and keep in repair public roads and highways in the county of Pike," was rejected.

Which was adopted.

The question recurred, shall the bill pass? and

It was determined in the affirmative.

Mr. Ashby asked and obtained leave of absence for Mr. Gorham, for the balance of the session, after to-morrow.

Mr. Campbell offered the following,

Resolved, That the House of Representatives be informed that the Senate adhere to their amendment to a bill to incorporate the Saint Louis and Fayette Rail Road Company, and that they therefore decline to appoint a committee of conference on that subject.

Which was adopted.

Mr. Montgomery from the committee on Enrolled Bills reported that the committee had presented to the Governor for his approval enrolled bills entitled,

"An act to incorporate a board of Curators of the St. Charles College."

"An act to establish a state road from Ste. Genevieve to Caledonia and from Caledonia to Courtois Mines."

"An act to incorporate a Turnpike Road from Hannibal in Marion county to New London in Ralls county."

"An act directing the mode by which fines penalties and forfeitures may be recovered."

"An act to incorporate the Columbia Female Academy."

"An act amendatory to an act entitled, an act to regulate the Treasury Department."

"An act concerning school lands in the town of St. Ferdinand, commonly called Florissant, in St. Louis county."

"An act to incorporate the Paynesville and Mississippi Rail Road Company."

"An act to incorporate the Osage Mining and Smelting company."

"An act to provide for the sale of the Franklin academy."

"An act to amend an act entitled an act fixing the salaries of Civil Officers."

"A joint resolution of approbation of President Jackson's administration." And

Three separate resolutions on the subject of printing.

An engrossed joint resolution from the House of Representatives approving the course of the Hon. Thomas H. Benton, in relation to expunging from the Senate Journal, the censure of President Jackson for the removal of the deposits of the government from the bank of the United States,"

Was read a first time.

On motion of Mr. Rawlins,

The rule which requires bills to be read on three several days was dispensed with, and

The resolution was read a second and a third time.

The question, shall the resolution pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Gorham, Goforth, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Robison, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams.—15.

Nays—Messrs. Campbell and Jones of Pike.—2.

Messrs. Deguire and Smith absent.

On motion of Mr. Jones of Cooper,

An engrossed bill from the House of Representatives entitled, "An act to incorporate the Agricultural School of Cooper county."

Was taken up, and

It was read a first time, and

On his motion,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time and it passed.

The president laid before the Senate, the following communication from the Executive.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
February 2, 1837. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed

"An act to encourage the destruction of Wolves."

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

On motion

The Senate adjourned.

SATURDAY, FEBRUARY 4, 1837.

THE Senate met pursuant to adjournment.

Mr. Ashby from the committee on Ways and Means, to which was referred an engrossed bill from the House of Representatives, entitled,

"An act to amend an act to license and tax merchants,"

Reported the said bill back to the Senate without amendment.

Mr. Ashby moved

To amend the bill by striking out of the first line of the second section "one sixteenth," and insert in place thereof *one twelfth*.

Which was adopted.

On motion of Mr. Ashby,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a third time.

Mr. Ashby moved

To amend the bill by striking out the words "and made a part of the general property of the state."

Which was read a first and a second time and was considered as engrossed, and

Was read a third time, and

On motion of Mr. Ashby,

The bill and amendments were laid on the table.

Mr. Campbell from the committee on Civil Judicature, to which was referred an engrossed bill from the House of Representatives, entitled,

"An act to define the jurisdiction of Courts of Chancery in certain cases,"

Reported the same back to the Senate with amendments, which

On motion of Mr. Sterigere,

Were considered as engrossed, and

On his motion,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a third time

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Gorham, Jones of Cooper, Jones of Pike, Rawlins, Robison, Sterigere, Thompson, Walsh and Williams.—11.

Nays—Messrs. Ashby, Byrd, Deguire, Goforth, McDaniel and Williams.—7.

Absent, Messrs. Smith, Vanarsdall and Valle.

Message from the House of Representatives, by Mr. Ralls

MR. PRESIDENT—The House of Representatives have rejected

“A bill to prevent the circulation of small notes,”

“A bill to amend an act regulating the interest of money.”

The House has passed bills entitled,

“An act supplementary to the laws establishing justices courts and defining the powers and duties of justices and constables.”

“An act supplementary to an act to ascertain the southern and northern boundary of this state,” approved December 23rd, 1834.

“An act to establish a permanent fund for the use and support of common schools.”

“An act to incorporate the St. Louis and Bellefontain Rail Road Company.”

The Speaker of the House has signed enrolled bills entitled,

“An act to incorporate the St. Louis Gas Light Company.”

“An act to incorporate the St. Louis Theatre.”

“An act to incorporate the Lagrange and Monticello Rail Road Company.”

“An act to amend an act to regulate fees.”

“An act for the relief of the heirs of Finis W. Shannon.”

“An act to incorporate the Ste. Genevieve Insurance Company.”

“An act to incorporate the St. Louis Marine Fire and Life Insurance Company.”

“An act supplementary to an act concerning county contracts.”

And

“An act supplementary to an act to establish a state road from the City of Jefferson to St. Louis by way of Manchester and Union.”

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives, have concurred in the amendments made by the Senate to an act to incorporate the St. Louis Theatre.”

The House has disagreed to the amendment made by the Senate to the bill entitled,

“An act providing for the election of a commissioner of the permanent seat of government.”

There has been introduced into the House

“A bill to regulate inspections.”

Mr. Montgomery from the joint committee on Enrolled Bills, reported as truly enrolled, bills entitled,

“An act to amend an act to regulate fees,”

"An act for the relief of Finis W. Shannon's heirs."

"An act to incorporate the Ste. Genevieve Insurance Company."

"An act supplementary to an act concerning county contracts."

"An act to establish a state road from St. Louis to the City of Jefferson by way of Manchester and Union."

"An act to incorporate the St. Louis Gas Light Company."

"An act to incorporate the St. Louis Theatre." And

"An act to incorporate the Lagrange and Monticello Rail Road Company."

The same committee has presented to the governor for his approval,

"An act to establish the St. Louis Perpetual Marine Fire and Life Insurance Company."

"An act supplementary to an act to enable counties to make contracts, and to hold and convey real estate."

"An act to incorporate the Ste. Genevieve Insurance Company."

"An act for the relief of the heirs of Finis W. Shannon, deceased."

"An act to regulate fees."

"An act to amend an act to establish a state road from the City of St. Louis, to the City of Jefferson."

"An act to incorporate the Lagrange and Monticello, Rail Road company."

"An act to incorporate the St. Louis Theatre," and

"An act to incorporate the St. Louis Gaslight Company."

Mr. Campbell from the committee on civil judicature, to which was referred, "A bill, concerning Circuit Attorneys, reported the same to the Senate with amendments."

On motion,

The amendments were considered as engrossed, and

On motion of Mr. Jones of Cooper,

The rule which requires bills, to be read on three several days, was dispensed with, and

The bill was read a third time.

Mr. Dawson moved to amend the bill by way of ride, by striking out *Governor*, and inserting "*Judges of each Circuit*,"

Which was read a first time,

Objections were made, and the question shall the rider be rejected.

Was determined in the affirmative as follows.

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, Gorham, Jones of Cooper, McDaniel, Rawlins, Robison, Sterigere, Thompson, Walsh, Weaver and Williams—14.

Nays—Messrs. Campbell, Dawson, Jones of Pike and Montgomery—4.

Messrs. McClelland, Smith, Valle and Vanarsdall absent,

The question recurred, shall the bill pass? and

It was determined in the affirmative.

Mr. Jones of Cooper, from the select committee to which was referred,

An engrossed bill from the House of Representatives, entitled
"An act, to incorporate the Missouri Life Insurance and Trust Company."

Reported said bill to the Senate without amendments, and also reported, that the committee recommended the passage of the bill.

The bill was read a third time, and

The question, shall the bill pass?

Was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Jones of Cooper, Jones of Pike, McDaniel, Robison, Sterigere, Thompson and Walsh—11.

Nays—Messrs. Byrd, Goforth, Montgomery, Gorham, Rawlins, Weaver and Williams—7.

Messrs. McClelland, Smith, Valle and Vanarsdall absent.

On motion of Mr. Campbell,

"A bill to incorporate the St. Louis and St. Charles Turnpike Company," was taken up, and

On his motion,

The Senate disagreed to so much of the report of the committee of the whole, in relation to said bill, as proposed to strike out *forty*, and insert *twenty* in the sixteenth section thereof.

On motion of Mr. Campbell,

The rule which requires bills to be read on three several days,

Was dispensed with, and

The bill was read a third time, and it passed.

On motion of Mr. Ashby,

An engrossed bill from the House of Representatives, entitled

"An act, to pay Shedrack Perry, for property lost in the service of the State."

Was taken up, and

It was read a first time, and

On his motion,

The rule which requires bills, to be read on three several days

Was dispensed with, and

The bill was read a second and a third time, and it passed.

On motion of Mr. Valle,

An engrossed bill from the House of Representatives, entitled

"An act, supplementary to an act, to regulate the apportionment of the Road and Canal Fund,

Was taken up, and

It was read a first time, and it passed to a second reading.

On motion of Mr. Sterigere,

An engrossed bill from the House of Representatives, entitled

"An act, for the relief of James McCuistion,

Was taken up, and

The amendments made thereto by the House of Representatives, were considered and concurred in by the Senate.

On motion of Mr. Sterigere,

An engrossed bill from the House of Representatives, entitled
"An act, to provide for the election of Commissioner, of the permanent Seat of Government, and for the sale of lots in the City of Jefferson."

Was taken up, and

On his motion,

The Senate receded from their amendments to said bill.

An engrossed bill from the House of Representatives, entitled

"An act, supplementary to an act, to ascertain the Northern and Southern boundary line of this State."

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days

Was dispensed with, and

The bill was read a second and a third time, and

On motion of Mr. Byrd,

It was laid on the table.

On motion of Mr. McClelland,

An engrossed bill from the House of Representatives, entitled

"An act, to incorporate the Livingston and Independence Rail Road Company."

Was taken up, and

It was read a first time, and

On his motion,

The rule which requires bills to be read on three several days,

Was dispensed with, and

The bill was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives, entitled

"An act for the relief of William McCawley,"

Was read a third time.

On motion of Mr. Campbell,

It was laid on the table.

An engrossed bill from the House of Representatives, entitled

"An act making additional allowance for transporting convicts to the Penitentiary,"

Was read a first time.

On motion of Mr. McDaniel,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed bill from the House of Representatives, entitled

"An act to amend the several laws establishing justices Courts,"

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time.

Mr. Sterigere moved

To amend the bill by striking out all of the tenth section, after the word "costs" in the fifth line thereof,

Which was adopted, and the rule being dispensed with,

The bill was read a third time.

The question shall the bill pass?

Was determined in the negative as follows:

Ayes—Messrs. Ashby, McDaniel, Rawlins, Robison, Sterigere and Williams—6.

Nays—Messrs. Byrd, Campbell, Deguire, Gorham, Jones of Cooper, Jones of Pike, McClelland, Montgomery, Thompson and Weaver—10.

Messrs. Goforth, Smith, Valle, Vanarsdall and Walsh absent.

On motion of Mr. Campbell,

An engrossed bill from the House of Representatives, entitled,

"An act to incorporate the Trustees of the German Academy of St. Louis," was taken up, and

It was read a first time.

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed bill from the House of Representatives entitled,

"An act to establish a permanent fund for the use of Common Schools,"

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed bill from the House of Representatives, entitled

"An act to organize Miller county, and to define the boundary of Cole."

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Deguire, Gorham, Jones of Cooper, McDaniel, Montgomery, Robison, Sterigere, Vanarsdall, Valle, Weaver and Williams.—13.

Nays—Messrs. Byrd, Jones of Pike, Rawlins and Thompson—4.

Messrs. Goforth, McClelland, Smith and Walsh absent.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have this day passed a bill from the Senate entitled,

"An act to regulate the inspection of Tobacco," with an amendment.

The bill is herewith returned. Also

"An act to divorce Joab Mobley and Sally his wife."

On motion of Mr. Montgomery,

"A bill to regulate the inspection of Tobacco," was taken up, and the amendments made thereto by the House of Representatives were concurred in by the Senate.

On motion of Mr. Campbell,

An engrossed bill from the House of Representatives, entitled

"An act to incorporate the St. Louis and Carondelet Rail Road Company," was taken up, and

It was read a first time, and

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time.

The question shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Deguire, Jones of Cooper, Jones of Pike, McDaniel, Robison, Sterigere, Valle, Vanarsdall and Williams—11.

Nays—Messrs. Byrd Thompson and Weaver—3.

Messrs. Goforth, McClelland, Montgomery, Rawlins, Smith and Walsh, absent.

An engrossed bill from the House of Representatives entitled, "An act to incorporate the Trustees of the Hannibal Academy,"

Was read a first time.

On motion of Mr. McDaniel,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time and it passed.

On motion of Mr. Williams,

The Senate recurred to the order of propositions and motions, and he asked and obtained leave, and introduced,

"A bill to attach Miller county to the twentieth Senatorial district."

Which was read a first time.

On his motion,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time and it passed.

Ordered that the title be,

"An act" &c. as aforesaid.

Mr. Ashby offered the following joint resolution:

Resolved, By the Senate and House of Representatives as follows: All local acts passed during the present General Assembly, shall be published in a separate pamphlet, and distributed as follows: One

more copy to each county, than the county is entitled to representatives in the General Assembly, for the use of the county, and one hundred copies to be reserved by the Secretary of State, for the use of the State.

Which was read a first time, and

On his motion,

The rule which requires bills to be read on three several days was dispensed with, and

The resolution was read a second and a third time and it passed.

Mr. Ashby from the select committee to which the subject was referred, submitted the following report:

The Select committee to which was referred a petition of the citizens of Livingston county, praying that the line dividing Livingston and Linn counties, be so altered as to give the county of Livingston all of range No. 22 west, have had the same under consideration, and have instructed me to report, that the claim of the citizens of Linn county, interested in the lands asked to be added to Livingston, are such that it would be of great advantage to them, and of but little disadvantage to the county of Livingston. The committee therefore ask to be discharged from the further consideration of the same.

Mr. Montgomery from the joint committee on Enrolled Bills reported that the committee had examined and found truly enrolled, bills entitled

"An act for the relief James McCuiston," and

"A memorial to Congress on the subject of the Santa Fe trade."

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have added Messrs. Munroe and Thornton, to the joint committee on printing, on the part of the House, in place of Messrs Watts and Fort, who have obtained leave of absence during the remainder of the session.

The House has concurred in the amendments made by the Senate to the bills from the House entitled,

"An act to regulate the collection of costs in criminal cases."

"An act supplemental to an act entitled, an act to establish judicial districts and circuits, and to prescribe the times and places of holding courts."

"An act to define the jurisdiction of Courts of chancery in certain cases," and

"An act to reduce the taxes."

The House has referred to the next General Assembly a preamble and resolutions, proposing amendments to the constitution of this state.

"A bill to incorporate the United Society of Journeymen Cabinet Makers of the City of St. Louis." Also bills from the Senate entitled

"An act to establish a state road,"

"An act to organize the county of St. Clair." And

"A resolution proposing to abolish so much of the second section,

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of the third article of the constitution of this State, as provides that the whole number of representatives shall not exceed one hundred,"

And have rejected a bill from the Senate entitled,

"An act to pay jurors."

The House have adhered to their disagreement to the amendments of the Senate to a bill entitled

"An act to incorporate the St. Louis and Fayette Rail Road."

The House has passed bills entitled

"An act to refund money to Lewis Bolton."

"An act amendatory to an act entitled an act to regulate the practice in courts of Chancery." Approved March 7, 1835.

"A resolution requesting a new land district, in the north-western part of this state."

"An act to prevent the circulation of counterfeit coins."

"An act concerning a scale of graduation."

"An act amendatory to an act entitled an act concerning crimes and their punishments," approved March 20, 1835.

"An act amendatory to an act entitled an act to provide for levying, assessing and collecting the revenue."

The House has passed bills from the Senate entitled,

"An act respecting circuit Attorneys."

"An act to donate certain lots to the trustees of the City of Jefferson."

"An act to amend an act respecting school lands."

"An act to legalize the sale of certain Saline lands, sold to Samuel Stephenson and for other purposes."

"An act to incorporate the St. Charles Insurance Company."

"An act to incorporate the Liberty Hotel Company."

"An act to define the permanent line dividing the counties of Crawford and Pulaski."

"An act to incorporate the Union Fire Company."

"An act to legalize the acts of county courts, commissioners of county seats, and commissioners of county buildings."

"An act for the relief of Daniel B. Holdman."

"An act for the relief of Thomas Shannon."

"A resolution to allow the Auditor to correct errors in the Assessors return, for Cooper county."

"An act to incorporate the St. Louis and St. Charles Turnpike Company, and

"An act supplementary to an act, concerning forcible entries and detainers."

The House has passed bills entitled

"An act, to incorporate a Turnpike Road Company, from the southwest corner of township No. 27, in range No. 15, east, on the state road in Scott county, to the Mississippi river, at a convenient point, for crossing the same, near the town of Hickman in Kentucky."

"An act amendatory to an act, entitled "

"An act, to provide for levying, assessing, and collecting the revenue."

"A joint resolution allowing James Brotherton certain accounts allowed and audited, by the Circuit Court of St. Louis county."

"An act to provide for the appointment of Clerks of the Circuit and County Courts, in the counties organized at this session of the General Assembly."

"An act granting pre-emption rights to certain settlers on school lands."

"A memorial to Congress to pay the mounted Volunteers from the counties of Clay and Ray, and

"An act from the Senate, to amend an act concerning mills and mill-dams."

Which are herewith returned,

And bills from the Senate entitled

"An act, to attach Miller county to the twentieth senatorial district."

"An act to incorporate the St. Louis Rail Road."

The House has rejected

"A resolution from the Senate, for printing private acts, and have concurred in amendments made by the Senate, to a bill from the House, supplementary to an act, to ascertain the northern and southern boundary lines of this state."

The Speaker of the House, has this day signed enrolled bills entitled

"An act, for the relief of James McCuiston."

"A memorial to Congress on the subject of the Santa Fe trade."

Which are herewith submitted for the signature of the President of the Senate.

The President signed said bills and they were delivered to the committee on Enrolled bills to be presented to the Governor for his approval and signature.

Mr. Campbell asked and obtained leave to introduce a bill, to incorporate the St. Louis Rail Road Company."

Which was read a first time, and

On his motion,

The rule which requires bills to be read on three several days,

Was dispensed with, and

The bill was read a second and a third time, and it passed.

Ordered, that the title be

"An act &c. as aforesaid."

On motion of Mr. Sterigere,

An engrossed bill from the House of Representatives, entitled

"An act, to survey and mark out a state road,"

Was taken up, and

It was read a first time, and

On motion of Mr. Weaver,

The rule which requires bills to be read on three several days,

Was dispensed with, and

The bill was read a second time.

Mr. Weaver moved to amend the bill by striking out of the eighth section, *two dollars*, and insert *one dollar and fifty cents*,

Which was adopted, and

The rule being dispensed with,

The bill was read a third time, and it passed.

An engrossed bill from the House of Representatives, entitled
"An act, supplementary to an act, entitled an act, for assessing
and collecting the revenue,

Was read a first time,

On motion of Mr. Varnarsdall,

The rule which requires bills to be read on three several days,

Was dispensed with, and

The bill was read a second and a third time, and it passed.

On motion of Mr. Ashby,

Resolved, That the assistant Secretary ask leave of the House of Representatives, to withdraw the bill to establish a permanent fund for the use of common schools, with so much of the message as relates to said bill.

An engrossed bill from the House of Representatives, entitled

"An act, to prevent the circulation of counterfeit coin,"

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed bill from the House of Representatives, entitled,

"An act, concerning a scale of graduation,

Was read a first time.

On motion of Mr. Thompson,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed joint resolution on the subject of a new land district in the southwestern part of this state.

Was read a first time.

On motion of Mr. Thompson,

The rule which requires bills to be read on three several days was dispensed with, and

The resolution was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives entitled

"An act, amendatory to an act, entitled an act, concerning crimes and their punishments.

Was read a first time.

On motion of Mr. Thompson,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and it was rejected.
An engrossed bill from the House of Representatives entitled,
"An act, amendatory to an act entitled an act to regulate proceedings in courts of Chancery, approved March 7th, 1835.

Was read a first time.

On motion of Mr. Sterigere

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time and it passed.

An engrossed bill from the House of Representatives, entitled

"An act, to refund money to Lewis Bolton,

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second time, and

Referred to the committee on claims.

An engrossed joint resolution from the House of Representatives, requiring the Auditor to draw his warrant in favor of James Brotherton.

Was read a first time.

On motion of Mr. Campbell,

The rule which requires bills to be read on three several days was dispensed with, and

The resolution was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives, entitled,

"An act, amendatory to an act, entitled an act, for levying, assessing, and collecting the revenue.

Was read a first time.

On motion of Mr. Thompson,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and third time, and it passed.

An engrossed bill from the House of Representatives entitled

"An act, respecting limited partnerships.

Was read a first time, and

On motion of Mr. Byrd,

It was laid on the table till the first of next June.

An engrossed bill from the House of Representatives entitled

"An act supplementary to an act, entitled an act, to ascertain and mark out the southern and northern boundary line of the state, approved, December 23rd, 1836, and for other purposes," was taken up.

Mr. Byrd moved to amend the bill by way of rider, by adding as another section. It shall be the duty of the surveyor appointed as above to examine, ascertain and mark out the southern boundary line, from the Mississippi river, commencing at latitude thirty-six, to St. Francois river, as designated in the Constitution.

Which was read a first, a second and a third time, and the bill together with the ryder passed.

An engrossed bill from the House of Representatives, entitled

"An act, to incorporate the Western Academy of Natural Science."

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and it passed.

Mr. Ashby asked and obtained leave of absence for Mr. Walsh for the balance of the session.

Mr. Smith asked and obtained leave of absence for the balance of the session.

On motion of Mr. Ashby,

An engrossed bill from the House of Representatives, entitled

"An act, to amend an act, to license and tax merchants, was taken up.

Mr. Ashby moved to amend the bill by way of ryder, by adding the following to the ninth section thereof. "And made a part of the general property of the state," also, in the first line of said section, strike out *sixteenth* and insert *twelfth*.

The ryder was read a first and a second time, and it was considered as engrossed, and

Was read a third time, and

The bill together with the ryder passed.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT,
City of Jefferson, February 4th, 1837. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed bills of the following titles to-wit:

"An act supplementary to an act, entitled an act, to enable counties to make contracts, and to hold and convey real estate."

"An act to incorporate the Monticello and Lagrang Rail Road."

"An act for the relief of the heirs of Fenis W. Shannon, deceased, and their guardian."

"An act to establish the St. Louis Perpetual Marine Fire and Life Insurance Company."

"An act to amend an act to regulate fees," and

"An act to incorporate the Ste. Genevieve Insurance Company."

Most respectfully

Your obedient servant,

LILBURN W. BCGGS.

On motion of Mr. Byrd,

The Senate went into secret session on executive business. After which,

The President laid before the Senate a communication from the governor transmitting certain documents relating to the proper manner of executing and disposing of the state bonds,

Which were read, and

On motion of Mr. Campbell,

Sent to the House of Representatives.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled,

"A joint resolution in favor of James Brotherton." Also

That the committee had presented to the governor for his approval bills entitled,

"An act for the relief of James S. McCuiston," and

"A memorial to Congress on the subject of the Santa Fe Trade."

Mr. Robison from the joint committee on Printing, reported, that the committee had in accordance with a vote of the House, accepted the bond of Messrs. Chambers and Harris, for printing the Journals, and of Calvin Gunn for printing the Laws of the present General Assembly—and had accepted a sufficient security therefor. And they recommend the adoption of a joint resolution making it obligatory on the parties to conform to their acceptance.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives have passed a resolution requiring Calvin Gunn to print three thousand two hundred copies of the Laws of the present General Assembly, instead of two thousand five hundred. Also

"An act supplementary to an act for the election of a commissioner of the permanent seat of government, and for the sale of lots in the City of Jefferson."

The House has refused the request of the Senate to withdraw a bill providing for the establishment of a permanent school fund, with that part of the message from the Senate which relates thereto.

The Speaker of the House of Representatives has this day signed an enrolled resolution in favor of James Brotherton.

Which is herewith submitted for your signature.

The President signed said resolution and it was delivered to the committee on Enrolled bills, to be presented to the Governor for his approval and signature.

An engrossed joint resolution from the House of Representatives requiring Calvin Gunn to print 3,200 copies of the Laws, instead of twenty-five hundred,

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The resolution was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives entitled

"An act to provide for the appointment of clerks of the circuit and county courts in the new counties,"

Was read a first time.

On motion of Mr. Rawlins,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and

On motion of Mr. Sterigere,

It was laid on the table.

An engrossed memorial from the House of Representatives to Congress, asking pay for the volunteers of Clay and Ray counties,

Was read a first time.

On motion of Mr. Thompson,

The rule which requires bills to be read on three several days was dispensed with, and

The memorial was read a second and a third time, and it passed.

An engrossed bill from the House of Representatives, supplementary to an act to provide for the election of a commissioner of the permanent seat of government,

Was read a first time.

On motion of Mr. Sterigere,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

On motion of Mr. Rawlins,

An engrossed bill from the House of Representatives, entitled, "An act to regulate, govern and discipline the Militia," was taken up.

Mr. Ashby moved,

To amend the bill by way of rider, by adding as an additional section, "This act shall not be published among the laws of the present session; but the Secretary of State shall enter into contract for printing fifteen hundred copies of the same in pamphlet form: provided, he can have the same printed for two hundred and fifty dollars.

Which was read a first and a second time, and was considered as engrossed, and

It was read a third time, and

The question, shall the bill together with the rider pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Sterigere and Thompson.—9.

Nays—Messrs. Byrd, Jones of Cooper, Robison, Vanarsdall, Weaver and Williams.—6.

Messrs. Deguire, Goforth and Valle absent.

Absent with leave as aforesaid.

An engrossed bill from the House of Representatives entitled, "An act to incorporate the St. Louis and Bellefontain Rail Road Company,"

Was read a first time.

On motion of Mr. Vanarsdall

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Jones of Pike, McDaniel, Rawlins, Robison, Sterigere, Thompson and Vanarsdall.—9.

Nays—Messrs. Byrd, Jones of Cooper, McClelland, Weaver, and Williams—5.

Absent with leave as aforesaid.

Messrs. Valle and Deguire absent.

On motion of Mr. Thompson,

An engrossed bill from the House of Representatives entitled, "An act to incorporate the Southern Turnpike Company," was taken up, and

It was read a first time.

On motion of Mr. Robison,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The House of Representatives have adopted the following concurrent resolution:

Resolved, By the House of Representatives, the Senate concurring therein, that the two Houses will meet in their respective Houses on Monday morning at sun rise, for the transaction of business.

Which resolution was read and concurred in by the Senate.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have concurred in the amendments made by the Senate to the bill entitled,

"An act to regulate, govern and discipline the militia of the state of Missouri," with an amendment,"

Which was read and agreed to by the Senate.

On motion of Mr. Rawlins,

An engrossed bill from the House of Representatives entitled

"An act appropriating money to pay George O. Dale,"

Was read a third time and it passed.

Mr. Ashby asked and obtained leave to introduce

"A bill to provide for the disposition of the surplus revenue, accruing to this state from the United States."

Which was read a first time, and

On his motion

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The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time.

The question, shall the bill pass?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Jones of Cooper, McClelland, McDaniel, Montgomery, Rawlins, Robison, Thompson, Valle, Weaver and Williams.—11.

Nays—Messrs. Byrd, Campbell, Jones of Pike and Vanarsdall.—4
Absent with leave as aforesaid.

Mr. Sterigere, excused.

Mr. Goforth, absent.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, a bill entitled

“An act to provide for the election of commissioner of the permanent seat of government and for the sale of lots in the city of Jefferson,” and

That the same committee had presented the Governor for his approval.

“An enrolled resolution for the favor of James Brotherton.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
February 4, 1837. }

To the Senate

GENTLEMEN—I have this day approved and signed

“An act for the relief of James S. McCuiston,” and

“A memorial to Congress in relation to the establishment of a port of entry at Independence.”

Most respectfully,

Your obedient servant,
LILBURN W. BOGGS.

On motion,
The Senate adjourned;

MONDAY, FEBRUARY 6, 1837.

THE Senate met pursuant to adjournment.

Mr. Montgomery from the joint committee on Enrolled Bills, reported that the committee had examined and found truly enrolled, bills entitled,

“An act concerning circuit Attornies.”

“An act to legalize the sale of certain Saline lands, sold to Samuel Stephenson, and for other purposes.”

“An act to charter the Herculaneum Bridge Company.”

- "An act to amend an act concerning Mills and Milldams."
- "An act to attach Miller county, to the twentieth Senatorial district."
- "An act to prevent foreign Banking Companies from setting up Agencies, or transacting Banking business within the limits of this state"
- "An act supplementary to an act to provide for levying, assessing and collecting the revenue."
- "An act to incorporate the St. Charles Insurance Company."
- "An act to license foreign Insurance Agencies."
- "An act to define the jurisdiction of Courts of Chancery in certain cases."
- "An act for the relief of Thomas Shannon."
- "An act to incorporate the Union Fire Company of St. Louis."
- "An act to amend an act respecting school lands."
- "An act to define the permanent line dividing the counties of Crawford and Pulaski."
- "An act to donate certain lots to the Trustees of the City of Jefferson."
- "An act to legalize the sales of county courts, commissioners of county seats and commissioners of County buildings."
- "An act to incorporate the St. Louis Rail Road."
- "An act to pay Shedrick Perry, for property lost in the service of the State."
- "An act to incorporate a Turnpike Road Company from Hannibal to Palmyra."
- "An act respecting partition and assignment of dower in slaves."
- "An act to incorporate the Liberty Hotel Company."
- "An act for the relief of Daniel B. Holdman."
- "A resolution to refund money to Lewis Bolton."
- "A resolution to authorize the Auditor to correct the errors in the returns of the assessor for the county of Cooper."
- "An act making additional allowance for transporting convicts to the Penitentiary."
- "An act to provide for opening public roads and highways."
- "A resolution relating to confirmed French and Spanish land claims."
- "An act to divorce Joab Mobley and Sally his wife."
- "An act supplementary to an act concerning forcible entries and detainers."
- "An act to incorporate the Western Academy of Natural Science."
- "An act to regulate inspections of Tobacco."
- "An act to incorporate the St. Charles Rail Road."
- "An act to reserve from sale lot No. 588."
- "An act to incorporate the Lexington Rail Road Company."
- "A resolution approving the course of the Hon. Thomas H. Benton, relative to the expunging resolutions."
- "An act to incorporate the St. Louis Floating Dock Company."
- "An act to incorporate the St. Louis German Academy."

"An act to attach territory to Clark county."

"An act supplementary to an act entitled, an act to establish judicial districts and circuits, and prescribe the times and places of holding courts."

"An act to amend an act entitled an act to establish a state Penitentiary, and to regulate the same."

"An act to incorporate the St. Louis and St. Charles Turnpike Company."

"An act to amend an act entitled an act to license and tax merchants."

"An act to incorporate the St. Louis and Bellfontaine Turnpike Company."

"An act to incorporate the Jefferson Seminary."

"An act for establishing and keeping in repair, public Roads in the county of Pike."

"A memorial to Congress to pay the mounted volunteers of the counties of Clay and Ray."

"An act to incorporate the Cooper county Agricultural School."

"An act to establish an Academy in the town of Florida in Monroe county."

"An act to incorporate the Trustees of the Hannibal Academy."

"An act for the relief of William Hopkins."

"An act concerning a scale of graduation."

"An act amendatory to an act entitled an act establishing recorders offices."

"An act to appropriate money to pay George C. Dale for services as Librarian,"

"A resolution requesting a new land district in the north western part of the state of Missouri."

"An act to establish a state road from the mouth of the Burboise river to Springfield."

"An act to provide for enclosing and erecting tombs over the graves Y. O'Bannon and H. Allard."

"An act to prevent the circulation of counterfeit coin."

"A resolution authorising the Attorney General of this State to sue James Dunica."

"An act amendatory to an act entitled an act to regulate the practice in courts of chancery." Approved March 7, 1835.

"An act amendatory to an act entitled an act to provide for levying, assessing and collecting the revenue."

"An act to defray the funeral expenses of the General Assembly."

"An act to regulate the collection of costs in criminal cases."

"An act to establish a permanent fund for the use and support of common schools."

"An act to organize the county of Miller and define the southern boundary of Cole,"

"An act to reduce the taxes."

"An act to provide for the election of commissioner of the perma

ment seat of government, and for the sale of lots in the city of Jefferson."

"An act supplementary to an act to ascertain the northern and southern line of this state, approved December 23, 1834, and for other purposes."

"An act amendatory to an act to provide for levying assessing and collecting the revenue."

"An act to amend an act concerning crimes and their punishments."

The above bills were signed by the Speaker of the House of Representatives and communicated to the Senate, and they were signed by the President of the Senate and delivered to the committee on Enrolled Bills to be presented to the Governor for his approval and signature.

Message from the House of Representatives by Mr. Jackson a member.

MR. PRESIDENT.—The House of Representatives have this day passed bills entitled,

"An act for the relief of Wm. Hopkins, collector of Cape Girardeau county," and

"An act concerning appropriations."

Which are herewith submitted for the action of the Senate.

Mr. Campbell introduced a concurrent resolution to authorise the committee on Enrolled bills to substitute the word *March* for February in an act to incorporate the St. Louis and St. Charles Turnpike Company, which was read and

On motion of Mr. Rawlins

The rule was dispensed with and

The resolution was read and adopted by the Senate.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives have adopted the following resolution :

Resolved, if the Senate concur herein, that the two Houses will meet this day at ten o'clock, A. M. in the hall of the House of Representatives, and proceed to the election of Commissioner of the permanent Seat of Government.

Mr. Robison submitted the following, which was adopted.

Resolved, that the sum of forty-five dollars be, and the same is hereby allowed Hiram H. Baber, for his services extra, as an Assistant Secretary, and that the same be paid out of the contingent fund of the Senate.

Mr. Sterigere asked and obtained leave to introduce a bill supplemental, and amendatory to an act entitled

"An act, to establish judicial districts and circuits, and prescribe the times and places of holding courts."

Which was read a first time.

On motion of Mr. Campbell,

The rule which requires bills to be read on three several days was dispensed with, and

The bill was read a second and a third time, and it passed.

"An act supplementary to an act to provide for the recovery of debts by attachment.

Was read a third time and it passed.

Mr. Campbell offered the following resolution.

Resolved, that the grateful acknowledgements of the members of the Senate be tendered to Franklin Cannon, President thereof, for the mild dignified and impartial manner in which he has presided over the deliberations of this body, and the careful attentive and appropriate manner, in which he discharged the duties of the chair, during the present session of the General Assembly.

Which was unanimously adopted.

Mr. Robison submitted the following resolution.

Resolved, that the thanks of the Senators are due to the several clerks and officers of the Senate, for their unremitting diligence, attention; and fidelity, in performing the various responsible and laborious duties that have devolved on them during the present session, now about to terminate.

Which was unanimously adopted.

On motion of Mr. Campbell,

An engrossed bill from the House of Representatives entitled,

"An act, for the relief of William McCawley, was taken up,

The question shall the bill pass.

Recurring, and it was determined in the affirmative.

An engrossed bill from the House of Representatives entitled,

"An act, concerning appropriations.

Was read a first time.

On motion of Mr. Vanarsdall,

The rule which requires bills to be read on three several days, was dispensed with—and

The bill was read a second and a third time, and it passed.

On motion of Mr. Vanarsdall,

An engrossed bill from the House of Representatives, entitled

"An act, concerning the commons of St. Ferdinand,"

Was taken up, and it was read a first time.

On his motion,

The rule which requires bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

On motion of Mr. Campbell,

A joint resolution from the House of Representatives, on the subject of electing a Commissioner, of the permanent Seat of Government, was taken up, and concurred in by the Senate.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have passed a bill entitled

“An act, supplementary to an act, entitled an act to establish judicial districts and circuits, and to prescribe the times and places of holding courts, approved January 21st, 1837.

The house insist on their amendments to a bill from the Senate, entitled

“An act, to define the southern boundary of Jackson county.”

The bill is herewith returned.

The House have adopted the following resolution.

Resolved, that the Senate be informed that the House is now ready to go into the election of Commissioner, of the permanent Seat of Government, and that the seats on the right of the Speakers Chair, are prepared for their reception.

On motion of Mr. Ashby,

The Senate proceeded to the Hall of the House of Representatives for the purpose of electing a commissioner as aforesaid: and the President of the Senate took the Speaker's chair, and announced the object of the joint meeting.

Messrs. George W. Miller and John C. Gordon were severally put in nomination. The vote was taken and there appeared,

For Mr. Miller—Sixty-four votes.

For Mr. Gordon—Eight votes.

Mr. Miller was declared by the President to be duly elected to the office of Commissioner of the Permanent Seat of Government.

Whereupon the Senate returned to its chamber and resumed its session.

On motion of Mr. Montgomery,

Mr. Jones of Pike was added to the committee on Enrolled Bills.

On motion of Mr. Rawlins,

The vote by which the consideration of a bill from the House of Representatives, to repeal a part of the act concerning crimes and their punishments, was referred to the next General Assembly, was reconsidered—and

The bill was read a first time, and

On his motion,

The rule requiring bills to be read on three several days, was dispensed with, and

The bill was read a second and a third time, and it passed.

Mr. Montgomery from the committee on Enrolled Bills reported that the committee had presented to the Governor for his approval enrolled bills entitled,

“An act concerning Circuit Attornies.”

“An act to legalize the sale of certain Saline lands, sold to Samuel Stephenson and for other purposes.”

“An act concerning Petit Jurors.”

“An act to charter the Herculaneum Bridge Company.”

"An act to amend an act concerning Mills and Milldams."

"An act to attach Miller county to the twentieth senatorial district."

"An act to prevent foreign banking companies from setting up agencies or transacting banking business within the limits of this state."

"An act supplementary to an act entitled, an act to provide for levying, assessing and collecting the revenue."

"An act to incorporate the St. Louis Insurance Company."

"An act to license foreign insurance Agencies."

"An act to define the jurisdiction of Courts of Chancery in certain cases."

"An act for the relief of Thomas Shannon."

"An act to incorporate the Union Fire Insurance Company of St. Louis."

"An act to amend act respecting School Lands."

"An act to define the permanent boundaries of the counties of Crawford and Pulaski."

"An act to donate certain lots to the City of Jefferson."

"An act to legalize the acts of county, courts commissioners of county seats and commissioners of county buildings."

"An act to incorporate the St. Louis Rail Road."

"An act to pay Shedrick Perry for property lost in the service of the state."

"An act to incorporate a Turnpike Road from Hannibal to Palmyra."

"An act respecting partition and assignment of dower in slaves."

"An act to incorporate the Liberty Hotel Company."

"An act for the relief of Daniel B. Holdman."

"A resolution to refund money to Lewis Bolton."

"A resolution to allow the Auditor to correct the Assessors return for Cooper county."

"An act making additional allowance for transporting convicts to the Penitentiary."

"An act to provide for opening public roads and highways."

"A resolution relative to confirmed French and Spanish Land Claims."

"An act to divorce Joab Mobley and Sally his wife,"

"An act supplementary to an act concerning forcible entries and detainers."

"An act to incorporate the Western Academy of Natural Science."

"An act to regulate inspections of tobacco."

"An act to incorporate the St. Charles Rail Road."

"An act to reserve from sale lot No. 588."

"An act to incorporate the Lexington and Independence Rail Road Company."

"A resolution approving Thomas H. Benton's course relative to the Expunging Resolutions."

- "An act to incorporate the St. Louis Floating Dock and Insurance Company."
- "An act to incorporate the Saint Louis German academy."
- "An act to attach territory to Clark county."
- "An act supplementary to an act entitled, an act to establish judicial districts and circuits and to prescribe the times and places of holding courts."
- "An act to amend an act entitled an act, to establish a State Penitentiary, and to regulate the same."
- "An act to incorporate the St. Louis and St. Charles Turnpike Company."
- "An act to amend an act entitled an act, to license and tax merchants."
- "An act to incorporate the St. Louis and Bellefontain Turnpike Company."
- "An act to incorporate the Jefferson Seminary."
- "An act to establish and keep in repair roads in the county of Pike."
- "A memorial to Congress to pay the Volunteers of Clay and Ray counties."
- "An act to incorporate the Cooper county Agricultural School."
- "An act to establish an Academy in the town of Florida, Monroe county."
- "An act to incorporate the Trustees of the Hannibal Academy."
- "An act to incorporate the Missouri Life Insurance and Trust Company."
- "A resolution concerning the printing of the Laws of the present General Assembly."
- "An act amendatory to act, entitled an act, to establish Recorders offices."
- "An act to establish an Academy in the City of St. Louis."
- "An act amendatory to an act concerning crimes and their punishments."
- "An act supplementary and amendatory to an act entitled an act, to establish judicial districts and circuits, and to prescribe the times and places of holding courts."
- "An act concerning the commons of St. Ferdinand."
- "An act supplementary to an act, entitled an act, for the recovery of debts by attachment."
- "An act to incorporate a Turnpike Company in Scott county, and for other purposes."
- "An act concerning a scale of graduation."
- "An act respecting partition and assignment of dower in slaves."
- "A resolution to refund money to Lewis Bolton."
- "An act concerning the commons of St. Louis."
- "A resolution requiring the Attorney General to settle with James Dunica."

*R

"An act amendatory to an act, entitled an act, for levying, assessing and collecting the revenue."

"An act to provide for enclosing the graves of Y. O'Bannon, and H. Allard."

"An act to incorporate the St. Louis and St. Charles Rail Road."

"A memorial to Congress on the subject of Lead Mines."

Mr. Montgomery from the same committee, also reported that the committee had examined, and found truly enrolled, bills entitled."

"A memorial to Congress on the subject of the United States, Lead Mines in this State."

"An act to amend an act entitled an act, to license Grocers, approved, March 18th, 1835."

Mr. Jones of Pike from the same committee, reported that the committee had examined and found truly enrolled bills entitled

"An act to regulate, govern, and discipline the Militia of the State of Missouri," and

"An act to authorize the Governor to borrow money to defray the expenses of Government if necessary."

Message from the House of Representatives by Mr. Chambers, a member.

MR. PRESIDENT.—The House have adopted the following resolution:

Resolved, The Senate concurring herein, that the committee on enrolled bills, and the committee on the Militia be directed to fill the blanks in the enrolled bill concerning the Militia. In which the concurrence of the Senate is requested.

The Senate concurred in the foregoing resolution.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT:—The Speaker of the House of Representatives has signed enrolled bills, and a memorial as follows:

"A memorial to Congress respecting Lead Mines."

"An act for the relief of William McCawley."

"An act to authorize the Governor to borrow money to defray the expences of government."

"An act to incorporate the St. Louis and Carondelet Rail Road Company."

"An act to amend an act entitled an act, to license Grocers, approved March 18th, 1835."

"An act to provide for the appointment of clerks of the county and Circuit Courts, of the counties organized at this session."

Which are herewith submitted for your signature.

The President signed said bills, and they were delivered to the committee on Enrolled Bills, to be presented to the Governor for his approval and signature.

The president laid before the Senate, the following communication from the Executive.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
February 6, 1837. }

To the Senate of Missouri:

GENTLEMEN—I have this day approved and signed the following acts,

“An act concerning Petit Jurors.”

“An act to incorporate the St. Louis and St. Charles Turnpike Company.”

“An act making additional allowance for transporting convicts to the Penitentiary.”

“An act for the relief of Daniel B. Holdman.”

“An act to divorce Joab Mobley and Sally his wife.”

“An act to legalize the sale of certain Saline lands sold to Samuel Stephenson and for other purposes.”

“An act to define the permanent line dividing the counties of Crawford and Pulaski.”

“An act to legalize acts of county courts, commissioners of county seats and commissioners of county buildings.”

“An act to incorporate the St. Charles Insurance Company.”

“An act to incorporate the Liberty Hotel Company.”

“An act for the relief of Thomas Shannon.”

“An act to donate certain lots to the City of Jefferson.”

“An act supplementary to an act concerning forcible entries and detainers.”

“A resolution in relation to confirmed Spanish Land Claims.”

“A resolution to allow the Auditor to correct the returns of the Assessor of Cooper county.”

“An act to amend an act concerning Milldams.”

“An act to attach Miller county to the twentieth Senatorial district.”

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

Mr. Rawlins submitted the following resolution, which was unanimously adopted.

Resolved, That the thanks of the members of the Senate be tendered to DANIEL ASHBY, ESQ. for the prompt, dignified and enlightened manner in which he has discharged the duties of President *pro tempore* of the Senate, during the present session of the General Assembly.”

On motion of Mr. Sterigere,

The vote by which the consideration of a bill from the House of Representatives, to provide for the appointment of clerks of the new counties, was referred to the next General Assembly, was reconsidered—and

The question recurred on the passage of the bill, and it passed.

Mr. Montgomery from the joint committee on Enrolled Bills reported that the committee had examined and found truly enrolled, bills entitled

"An act to incorporate the St. Louis and Carondalet Rail Road Company."

"A memorial to Congress on the subject of the United States lead mines in this state."

"An act to amend an act to license Grocers," approved March 18th, 1835.

Mr. Montgomery from the same committee reported that the committee had presented to the governor for his approval, enrolled bills entitled,

"An act to amend an act entitled, an act to license Grocers."

"An act for the relief of William McCawley."

"An act to provide for the appointment of clerks of the new counties."

On motion of Mr. Weaver,

The vote by which the consideration of a bill from the House of Representatives, entitled "an act to refund money to Lewis Bolton" was referred to the next General Assembly, was reconsidered.

On the question, will the Senate reconsider the vote aforesaid?

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Campbell, Deguire, McClelland, Montgomery, Rawlins, Robison, Sterigere, Vanarsdall, Weaver and Williams.—11.

Nays—Messrs. Byrd and Jones of Cooper.—2.

The bill was read a third time, and it passed.

Mr. Ashby offered the following resolution, which was adopted.

Resolved, That the Senate do now proceed to the election of President *pro tempore* for the next two years.

Mr. Ashby nominated DAVID JONES, ESQ. of Cooper county, for the office aforesaid.

The vote was taken and there appeared

For Mr. Jones—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Sterigere, Vanarsdall, Weaver and Williams.—14.

The President declared Mr. Jones to be duly elected President *pro tempore* of the Senate for the next two years.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT—The House of Representatives have adopted the following resolution.

Resolved, The Senate concurring therein, that a joint committee of five be raised to wait on the Governor and inquire if he has any further communications to lay before the present General Assembly—and also, to inform him, that if he has no further communication to make, the two Houses are now ready to adjourn.

The following persons have been appointed on the part of the House to-wit: Messrs. Chambers, Redman and Woodson.

The Senate concurred in the above resolution, and, Messrs. Ashby and Jones of Pike, were appointed on the part of the Senate, to compose said joint committee.

Mr. Ashby submitted the following:

The joint committee appointed to wait on his Excellency the Governor, and to inquire if he had any further communication to make to the present General Assembly, have performed that duty and received for answer, that he has no further communication to make.

Message from the House of Representatives by Mr. Ralls.

MR. PRESIDENT.—The House of Representatives have adopted the following resolution:

Resolved, The Senate concurring therein, that the Senate and House of Representatives will now adjourn *sine die*.

On motion of Mr. Weaver,

The Senate disagreed to the above Resolution:

Mr. Ashby submitted the following:

Resolved, That House of Representatives be informed that the Senate is now ready to adjourn without day.

The President laid before the Senate the following:

To the President of the Senate of Missouri:

MR. PRESIDENT—I hereby resign my seat as a member of the Senate from the sixth Senatorial district.

Very respectfully yours &c.,

DAVID STERIGERE.

Message from the House of Representatives, by Mr. Ralls.

MR. PRESIDENT—The House of Representatives have concurred in the resolution from the Senate relative to an adjournment without day—and have directed me to inform the Senate that the House is now ready to adjourn without day.

On motion of Mr. Ashby,

The Senate adjourned *sine die*.

FRANKLIN CANNON,

President of the Senate.

Test,

JOSEPH B. WELLS,—*Secretary of the Senate.*

APPENDIX.

EXECUTIVE JOURNAL

OF THE

NINTH GENERAL ASSEMBLY,

BEGAN AND HELD AT THE

CITY OF JEFFERSON,

ON THE THIRD MONDAY IN NOVEMBER, EIGHTEEN HUNDRED AND THIRTY-SIX.

WEDNESDAY, DECEMBER 14, 1836.

The president laid before the Senate the following communication from the governor:

EXECUTIVE DEPARTMENT,
City of Jefferson, December 14, 1836. }

To the Senate of Missouri:

GENTLEMEN—I hereby nominate William B. Napton, Esq. of Howard county, to the office of Attorney General of the State of Missouri, and request your advice and consent to the same.

Most respectfully

Your obedient servant,

LILBURN W. BOGGS.

The question, will the Senate advise and consent to the nomination aforesaid?

Was determined in the affirmative as follows: ayes 21, nays 00.

Ayes—Messrs. Ashby, Byrd, Campbell, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, Lucas, McClelland, McDaniel, Montgomery, Rawlins, Robison, Sterigere, Thompson, Valle, Vanarsdall, Walsh and Williams.—21.

On motion of Mr. Vanarsdall,

Ordered that the governor be informed that the Senate has advised and consented to the above nomination.

MONDAY, JANUARY 23, 1837.

The President *pro tempore* laid before the Senate the following communication from the executive.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January 23, 1837. }

To the Senate.

GENTLEMEN—I nominate Peter G. Glover to the office of Auditor of Public Accounts, to commence at the expiration of the term of service for which he was heretofore appointed.

I also nominate Hiram H. Baber to the office of Secretary of state for the next four years, commencing from this date.

Most respectfully,

Your obedient serv't.

LILBURN W. BOGGS.

The question, will the Senate advise and consent to the nomination of Peter G. Glover to the office aforesaid?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams.—22.

Messrs. Rawlins and Robison absent.

On motion of Mr. Smith,

The consideration of the other nomination in the above communication was postponed.

TUESDAY, JANUARY 24, 1837.

On motion of Mr. Smith,

The nomination of Hiram H. Baber to the office of Secretary of State, was taken up.

Mr. Valle moved a call of the House, which was ordered.

Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams answered to their names.

The president pro tempore, instructed the door-keeper, to request the attendance of Mr. Sterigere, who was absent.

Mr. Sterigere appeared,

The question recurred,

Will the Senate advise and consent to the nomination.

Mr. Williams moved

To lay the nomination on the table.

Which was decided in the negative.

The same question again recurred, and

It was decided in the affirmative, as follows:

Ayes—Messrs. Campbell, Dawson, Gorham, Jones of Pike, Lee, McClelland, Robison, Smith, Sterigere, Thompson, Vanarsdall, Walsh and Williams—13.

Nays—Messrs. Ashby, Byrd, Deguire, Goforth, Jones of Cooper, McDaniel, Montgomery, Rawlins, Valle and Weaver—10.

Mr. Williams asked to be excused from voting.

Which was refused by the Senate.

On motion of Mr. Goforth,

Ordered, that the injunction of secrecy be removed from the foregoing proceedings.

WEDNESDAY, JANUARY 25, 1837.

On motion of Mr. Smith,

A call of the House was ordered.

Messrs. Ashby, Byrd, Campbell, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Rawlins, Smith, Sterigere, Thompson, Valle and Williams answered to their names.

Messrs. Dawson, Deguire, Montgomery, Robison, Vanarsdall, Walsh and Weaver, absent.

The President *pro tempore*, directed the door-keeper, to request the attendance of the absent members.

The absent members appeared, and took their seats, except Mr. Vanarsdall, of whom the door-keeper reported that he could not find him.

The door-keeper was again directed to hunt for Mr. Vanarsdall, and he appeared, and took his seat.

Mr. Williams offered the following resolution.

Resolved, by the Senate, that the Secretary be instructed to call on the Governor, and ask leave to withdraw the communication informing him of the confirmation of Hiram H. Baber, to the office of Secretary of State.

The question shall the resolution be adopted.

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Deguire, Goforth, McClelland, McDaniel, Montgomery, Rawlins, Sterigere, Valle, Weaver and Williams—12.

Nays—Messrs. Campbell, Dawson, Gorham, Jones of Cooper, Jones of Pike, Lee, Robison, Smith, Thompson, Vanarsdall and Walsh—11

On motion of Mr. Smith,

The Secretary was required to comply with the requisition of the above resolution immediately.

The President *pro tempore* laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
City of Jefferson, January 25, 1837. }

To the Senate,

GENTLEMEN—I nominate the following gentlemen, to fill the offices of Judge, in the several judicial circuits of this state:

For the first Judicial circuit—*William Scott, esq.*

For the second judicial circuit—*Thomas Reynolds, esq.*

For the third judicial circuit—*Ezra Hunt, esq.*

For the fourth judicial circuit—*Priestley H. McBride, esq.*

For the sixth judicial circuit—*John F. Ryland, esq.*

For the seventh judicial circuit—*Charles H. Allen, esq.*

For the eighth judicial circuit—*Luke E. Lawless, esq.*

For the ninth judicial circuit—*Henry Shurlds, esq.*

For the tenth judicial circuit—*John D. Cook, esq.*

To which several nominations, I respectfully ask your advice and consent.

I also nominate *Austin A. King, esq.*, to the office of Judge of the fifth judicial circuit, to take effect from and after the tenth of February, 1837—and respectfully ask your advice and consent to the same.

With great respect your obedient servant,
LILBURN W. BOGGS.

The question being will the Senate advise and consent to the nominations? The question was called for on each nomination separately.

The question was first put, will the Senate advise and consent to the nomination of William Scott, esq., to the office of Judge of the first judicial circuit? and

It was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—23.

The question was then put, will the Senate advise and consent to the nomination of Thomas Reynolds, esq., to the office of judge of the second judicial circuit? and

It was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Robison, Rawlins, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—22.

Nay—Mr. Dawson.

The question was then put, will the Senate advise and consent to the nomination of Ezra Hunt, esq, to the office of judge of the third judicial circuit.

And it was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—22.

Nay—Mr. Sterigere,

The question was then put,

Will the Senate advise and consent to the nomination of Priestly H. McBride to the office of Judge of the fourth judicial circuit, and

It was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Robison, Smith, Sterigere, Thompson, Vanarsdall, Walsh and Weaver—21.

Nays—Messrs. Valle and Williams—2.

The question will the Senate advise and consent to the nomination of John F. Ryland, as judge of the sixth judicial circuit.

Was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—23.

The question, will the Senate advise and consent to the nomination of Charles H. Allen, Esq., as judge of the seventh judicial circuit.

Was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Campbell, Dawson, Deguire, Gorham, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Thompson, Valle, Vanarsdall and Walsh—16.

Nays—Messrs. Byrd, Goforth, Lee, Sterigere, Weaver and Williams—6.

The question, will the Senate advise and consent to the nomination of Henry Shurlds, Esquire, as judge of the ninth judicial circuit.

Was determined in the affirmative, as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—23.

The question, will the Senate advise and consent to the appointment of Luke E. Lawless, Esq., as judge of the eighth judicial circuit, was put.

On motion of Mr. Campbell,

The nomination was laid on the table.

The question was then put.

Will the Senate advise and consent to the nomination of John D. Cook, Esq., to the office of judge of the tenth judicial circuit, and

On motion of Mr. Byrd,

The nomination was laid on the table.

Mr. Byrd offered the following resolution.

Resolved, That a committee of three be appointed to call on the Auditor of Public Accounts, and to ascertain whether he is possession of any facts prejudicial to the character of John D. Cook.

Which was adopted.

Messrs. Byrd, Smith and Dawson were appointed that committee.

The question, will the Senate advise and consent to the nomination of Austin A. King, Esq. to the office of judge of the fifth judicial circuit, to take effect on the tenth day of February, 1837?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams.—23.

On motion of Mr. McClelland,

The injunction of secrecy was removed from the above proceedings so far as relates to the nominations which have been confirmed.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 26, 1837.

On motion of Mr. Smith,

Ordered that the Select committee which was appointed to call on the Auditor of Public Accounts, to ascertain whether he was in possession of any facts prejudicial to the character of John D. Cook, be invested with authority to call on John D. Cook, aforesaid, and to prosecute the said investigation further.

Mr. Byrd from the above Select committee submitted the following report:

The committee to whom was referred the subject of inquiring into the accusations against Judge Cook, for two drafts on the Auditor of Public Accounts, for the salary of the same quarter, beg leave to report, that they called on the Auditor, who stated that two drafts had been presented to him—that he issued his warrant on the Treasurer for the first draft, and refused to issue a warrant for the second draft, have a copy of the draft, which was first presented to the Auditor of Public Accounts, and the original second draft, which they present as part of the report. The committee called on Judge Cook for an explanation in writing, which was received and is herewith presented to the Senate. All of which are respectfully submitted—copies of which drafts are here given.

Jackson 14th April, 1836.

The Auditor of Public Accounts for the State of Missouri, will please deliver to John Scott or his order, a warrant on the State Treasury for two hundred and fifty dollars, on the first day of July next, it being a quarter's salary then to be due to me as judge of the fourth judicial circuit of said state, for the second quarter of the present year.

Jackson, 18th April, 1836.

The Auditor of Public Accounts will deliver to William Scrips or his order, a warrant on the State Treasury for two hundred and fifty dollars on the first day of July next, it being a quarter's salary then to be due to me as judge of the fourth judicial circuit of said state.

JOHN D. COOK.

The committee also submitted a communication signed John D. Cook, which is on file and is marked No. 1.

On motion of Mr. Smith,

The nomination of John D. Cook was taken up.

The question, will the Senate advise and consent to the nomina-

tion of John D. Cook, to the office of judge of the tenth judicial circuit recurred?

On motion of Mr. Smith,

The Secretary of the Senate was instructed to call on the governor and request him to give the Senate an opportunity of examining a communication made by Abram Hunter of Scott county, to him on the subject of the nomination of John D. Cook, to the office of judge of the district aforesaid: provided, said communication is not confidential.

After a short time the Secretary returned with said communication—which was read, and

The same question again recurred, and

It was determined in the affirmative as follows:

Ayes—Messrs. Campbell, Dawson, Deguire, Jones of Pike, Lee, Montgomery, Rawlins, Robison, Smith, Thompson, Vanarsdall and Walsh.—12.

Nays—Messrs. Ashby, Byrd, Goforth, Gorham, Jones of Cooper, McClelland, Sterigere, Valle, Weaver and Williams.—10.

Mr. McDaniel absent, sick.

On motion

The nomination of Luke E. Lawless was taken up, and

The question, will the Senate advise and consent to the nomination of Luke E. Lawless, esq., to the office of judge of the eighth judicial circuit? recurred and

It was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, McClelland, Rawlins, Robison, Smith, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams.—17.

Nays—Messrs. Dawson, Jones of Pike, Lee, Montgomery and Sterigere—5.

Mr. Vanarsdall asked to be excused from voting on the above nomination, which request the Senate refused.

Mr. McDaniel absent sick.

The Secretary of the Senate presented the communication which he had made to the Governor, informing him of the confirmation, by the Senate, of the nomination of Hiram H. Baber, to the office of Secretary of State.

Mr. McClelland moved,

That the Senate reconsider the vote by which the nomination of Hiram H. Baber, to the office of Secretary of State, was confirmed.

The question, will the Senate reconsider the vote aforesaid?

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, McClelland, Montgomery, Rawlins, Robison, Smith, Sterigere, Valle, Vanarsdall, Walsh, Weaver and Williams—18

Nays—Messrs. Dawson, Jones of Pike, Lee and Thompson.—4.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
January 26, 1837. }

To the Senate

GENTLEMEN—I have concluded to ask leave of the Senate to withdraw the nomination of Hiram H. Baber, for the office of Secretary of State.

I have the honor to be,
With high respect your obedient servant,
LILBURN W. BOGGS.

The question, will the Senate grant leave to withdraw the nomination aforesaid.

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, McClelland, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams, 19.

Nays—Messrs. Dawson, Jones of Pike and Lee—3.

Mr. McDaniel absent sick,

On motion of Mr. Smith,

The injunction of secrecy was removed from the above proceedings, so far as relates to the several nominations, which have been confirmed.

After a recess of several hours,

Mr. Robison submitted the following preamble and resolution:

Whereas, The Senate has received satisfactory evidence that Charles H. Allen has recently conducted himself towards the Governor of this state, and this Senate, in an abusive, menacing, insulting and disrespectful manner; thereby manifesting a temper and disposition that disqualify him for a judicial station.

Therefore, be it resolved, That the vote advising and consenting to the nomination of said Charles H. Allen, as judge of the seventh judicial circuit be reconsidered.

The question on the adoption of the preamble and resolution.

Was determined in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McClelland, Montgomery, Rawlins, Robison, Smith, Sterigere, Valle, Vanarsdall, Walsh, Weaver and Williams—20.

Nay—Mr. Thompson.

Mr. McDaniel, absent sick.

Mr. Dawson absent.

The question then recurred, will the Senate advise and consent to the nomination of Charles H. Allen, to the office of judge of the seventh judicial circuit?

And it was determined in the negative as follows:

Ayes—None.

Nays—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham,

Jones of Cooper, Jones of Pike, Lee, McClelland, McDaniel, Montgomery, Rawlins, Robison, Smith Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—21

Absent as above.

On motion of Mr. Smith,

Ordered, That the injunction of secrecy be removed from the above proceedings, and on his motion, the Secretary was requested to inform the Governor of the above proceedings.

SATURDAY, JANUARY 28, 1837.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT, CITY OF JEFFERSON,
January, 1837. }

To the Senate.

GENTLEMEN—I nominate John C. Edwards, Esq., to the office of Secretary of State, and respectfully ask your advice and consent to his appointment.

Most respectfully,
Your obedient servant,
LILBURN W. BOGGS.

Which was read, and the question, will the Senate advise and consent to the nomination of John C. Edwards to the office of Secretary of State.

Was determined in the affirmative, as follows.

Ayes—Messrs. Ashby, Byrd, Campbell, Dawson, Deguire, Goforth, Gorham, Jones of Cooper, Montgomery, Rawlins, Robison, Smith, Sterigere, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—19.

Nays—Messrs. Jones of Pike and Lee—2.

Mr. Dawson absent, Mr. McDaniel absent, sick.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
January 28, 1837. }

To the Senate of Missouri:

GENTLEMEN—I nominate Foster P. Wright to the office of judge of the seventh judicial circuit of this state, and respectfully ask your advice and consent to his appointment.

Most respectfully,
Your obedient servant,
LILBURN W. BOGGS.

The question, will the Senate advise and consent to the nomina-

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tion of Foster P. Wright to the office of judge of the seventh judicial circuit of this state, was put.

Mr. Sterigere moved to lay the nomination on the table.

Which was rejected.

The same question recurred, and

It was determined in the affirmative, as follows.

Ayes—Messrs. Ashby, Byrd, Campbell, Deguire, Goforth, Gorham, Jones of Cooper, Jones of Pike, Lee, McDaniel, Moutgomery, Smith, Thompson, Valle, Vanarsdall, Walsh, Weaver and Williams—18.

Nays—Messrs. Dawson and Sterigere—2.

Sick as above, Mr. Rawlins absent.

Mr. Sterigere asked to be excused from voting,

Which was refused by the Senate.

On motion of Mr. Smith,

The injunction of secrecy was removed from the above proceedings.

On motion,

The Senate adjourned,

SATURDAY, FEBRUARY 4, 1837.

The President laid before the Senate the following communication from the Governor.

EXECUTIVE DEPARTMENT,
February 4, 1837. }

To the Senate

GENTLEMEN—Innominate Joseph C. Brown, esq. of St. Louis county, Colonel Daniel M. Boone, of Jackson county, and Stephen Cooper, Esq. of Lewis County, as commissioners to carry into effect the act of the present General Assembly, entitled, "an act to survey and mark the northern boundary of the state," and respectfully ask your advice and consent to their appointment.

Most respectfully,

Your obedient servant,

LILBURN W. BOGGS.

The question was put, will the Senate advise and consent to the appointment of Joseph C. Brown, Esq. as commissioner to carry into effect the act of the present General Assembly, entitled, "an act to survey and mark the northern boundary line of the state?"

Was decided in the affirmative as follows:

Ayes—Messrs. Ashby, Byrd, Campbell, Jones of Cooper, Jones of Pike, McClelland, Robison, Sterigere, Thompson, Weaver and Williams.—12.

Nay—Mr. Valle.—1.

Absent, Messrs. Deguire, Goforth, Rawlins, Smith and Vanarsdall.

The question was put, will the Senate advise and consent to the appointment of colonel Daniel M. Boone and Stephen Cooper, esq. as commissioners to carry into effect the act of the present General Assembly, entitled, "an act to survey and mark the northern boundary of the state?" and

It was decided in the affirmative as to both of those gentlemen, by the following vote:

Ayes—Messrs. Ashby, Byrd, Campbell, Jones of Cooper, Jones of Pike, McClelland, McDaniel, Robison, Sterigere, Thompson, Valle, Weaver and Williams.—13.

Nays—None.

Absent, Messrs. Deguire, Goforth, Rawlins, Smith and Vanarsdall.

On motion of Mr. Valle,

The injunction of secrecy was removed from the foregoing proceedings, and the Secretary was required to inform the Governor thereof.